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Various pagings.

Page 623 is incorrectly numbered page 62.

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

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EDITED AND PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS  
BY  
T. J. RICHARDSON.

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SECOND SESSION—FOURTH PARLIAMENT.

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43<sup>0</sup> VICTORIÆ, 1880.

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VOL. VIII.

COMPRISING THE PERIOD FROM THE TWELFTH DAY OF FEBRUARY, 1880,  
TO THE FIFTH DAY OF APRIL, 1880.

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FIRST VOLUME OF THE SESSION.

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OTTAWA :  
PRINTED FOR THE PUBLISHER BY C. W. MITCHELL, ELGIN STREET.  
1880.



# CORRIGENDA ET ADDENDA:

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## VOL. VIII.

Page 174, 2nd col., line 2 from bottom, for "six," read "ten."

Page 219, 1st col., for "MR. CAMERON (North Victoria)," read "MR. CAMERON (South Huron)."

Page 270, 1st col., before "MR. BLAKE," insert :

" Mr. McDONALD (Pictou) introduced a Bill (No. 44) To provide for the salaries of two additional Judges of the Supreme Court of British Columbia."

Page 293, 1st col., line 3 from bottom, after "religious questions," insert "from a Protestant point of view."

Page 312, 1st col., line 9 from bottom, for "cans," read "cases."

Page 483, 1st col., after "Bill read the second time on a division," insert :

" The following Bill was read the second time on a division :—

" Bill (No. 41) To amend an Act to provide that persons charged with common assault shall be competent as witnesses.—(Mr. McCarthy)."

Page 556, 2nd col., line 14, for "\$400,000," read "\$40,000."

Page 603, 2nd col., line 11 from bottom, for "consented," read "intended."

Page 604, 1st col., line 12, for "stockholders," read "stockbrokers."

Page 697, 2nd col., line 10 from bottom, for "soda," read "West India."

Page 699, 1st col., line 33, for "other innovations," read "new inventions."  
Line 43, for "electors," read "elect us."

Page 713, 1st col., line 22, for "indication," read "vindication."

Page 715, 1st col., line 9, for "imposing," read "infusing."

Page 745, 2nd col., before "WAYS AND MEANS," insert :

" The following Bill was, with leave of the House, withdrawn:—

" Bill (No. 39) To incorporate the Montreal and Province Line Railway Company.—(Mr. Scriver)."

Page 845, 2nd col., line 14, for "swearing," read "sneering."



# DOMINION OF CANADA.

## HOUSE OF COMMONS.

### THE MINISTRY

OF THE

**RIGHT HON. SIR JOHN ALEXANDER MACDONALD, K. C. B.,**

AT THE OPENING OF THE SECOND SESSION OF THE FOURTH PARLIAMENT,  
FEBRUARY 12TH, 1880.

---

Minister of the Interior.....	{ Right Hon. Sir JOHN A. MACDONALD K.C.B., Prime Minister.
President of the Council.....	Hon. LOUIS FRANÇOIS R. MASSON.
Minister of Railways and Canals.....	{ Hon. Sir CHARLES TUPPER, K.C.M.G. C.B., M.D.
Minister of Public Works .....	Hon. HECTOR LOUIS LANGEVIN, C.B.
Minister of Justice and Attorney-General..	Hon. JAMES McDONALD, Q.C.
Minister of Marine and Fisheries.....	Hon. JAMES COLLEDGE POPE.
Minister of Finance .....	{ Hon. Sir SAMUEL L. TILLEY, K.C.M.G., C.B.
Minister of Agriculture .....	Hon. JOHN HENRY POPE.
Minister of Customs.....	Hon. MACKENZIE BOWELL.
Secretary of State and Registrar-General..	Hon. J. C. AIKINS.
Postmaster-General.....	Hon. JOHN O'CONNOR, Q.C.
Minister of Inland Revenue.....	Hon. LOUIS FRANÇOIS G. BABY.
Minister of Militia .....	Hon. Sir ALEX. CAMPBELL, K.C.M.G.
Speaker of the Senate.....	{ Hon. D. L. MACPHERSON, (Without Portfolio.)
<hr/>	
Speaker of the House of Commons.....	Hon. JOSEPH GODÉRIC BLANCHET.
Clerk .....	ALFRED PATRICK.
First Clerk-Assistant.....	JOHN GEORGE BOURINOT.
Second Clerk-Assistant.....	JEAN PHILIPPE LEPROHON.

# LIST OF MEMBERS

## OF THE

# HOUSE OF COMMONS

IN THE

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

<p><b>ADDINGTON</b>—John McRory.</p> <p><b>ALBERT</b>—Alexander Rogers.</p> <p><b>ALGOMA</b>—Simon J. Dawson.</p> <p><b>ANNAPOLIS</b>—Avar Longley.</p> <p><b>ANTIGONISH</b>—Angus McIsaac.</p> <p><b>ARGENTEUIL</b>—Hon. J. J. C. Abbott.</p> <p><b>BAGOT</b>—Joseph Alfred Mousseau.</p> <p><b>BEAUCE</b>—Joseph Bolduc.</p> <p><b>BEAUHARNOIS</b>—Joseph Gédéon Horace Bergeron.</p> <p><b>BELLECHASSE</b>—Achille LaRue.</p> <p><b>BERTHIER</b>—E. Octavian Cuthbert.</p> <p><b>BONAVENTURE</b>—P. C. Beauchesne.</p> <p><b>BOTHWELL</b>—Hon. David Mills.</p> <p><b>BRANT, N. Riding</b>—Gavin Fleming.</p> <p><b>BRANT, S. Riding</b>—William Paterson.</p> <p><b>BROCKVILLE</b>—William Fitzsimmons.</p> <p><b>BROME</b>—Edmund Levens Chandler.</p> <p><b>BRUCE, N. Riding</b>—John Gillies.</p> <p><b>BRUCE, S. Riding</b>—Alexander Shaw.</p> <p><b>CAPE BRETON</b>—           <table style="display: inline-table; vertical-align: middle; border: none;"> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">William McDonald.</td> </tr> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">William Mackenzie McLeod.</td> </tr> </table> </p> <p><b>CARDWELL</b>—Thomas White.</p> <p><b>CARLETON (N.B.)</b>—George Heber Connell.</p> <p><b>CARLETON (O.)</b>—John Rochester.</p> <p><b>CARIBOO</b>—Joshua Spencer Thompson.</p> <p><b>CHAMBLY</b>—Pierre Basile Benoit.</p> <p><b>CHAMPLAIN</b>—Hippolyte Montplaisir.</p> <p><b>CHARLEVOIX</b>—Joseph S. Perrault.</p> <p><b>CHARLOTTE</b>—Arthur Hill Gillmor.</p> <p><b>CHATEAUGUAY</b>—Hon. Luther Hamilton Holton.</p> <p><b>CHICOUTIMI AND SAGUENAY</b>—Ernest Cimon.</p> <p><b>COLCHESTER</b>—Thomas McKay.</p>	}	William McDonald.	}	William Mackenzie McLeod.	<p><b>COMPTON</b>—Hon. John Henry Pope.</p> <p><b>CORNWALL</b>—Darby Bergin.</p> <p><b>CUMBERLAND</b>—Hon. Sir Charles Tupper, K.C.M.G.</p> <p><b>DIGBY</b>—John C. Wade.</p> <p><b>DORCHESTER</b>—François Fortunat Rouleau.</p> <p><b>DRUMMOND AND ARTHABASKA</b>—Desiré Olivier Bourbeau.</p> <p><b>DUNDAS</b>—John Sylvester Ross.</p> <p><b>DURHAM, E. Riding</b>—Arthur T. H. Williams.</p> <p><b>DURHAM, W. Riding</b>—Hon. Edward Blake.</p> <p><b>ELGIN, E. Riding</b>—Thomas Arkell.</p> <p><b>ELGIN, W. Riding</b>—George Elliott Casey.</p> <p><b>ESSEX</b>—James Colebrooke Patterson.</p> <p><b>FRONTENAC</b>—George Airey Kirkpatrick.</p> <p><b>GASPÉ</b>—Pierre Fortin.</p> <p><b>GLENGARRY</b>—John McLennan.</p> <p><b>GLOUCESTER</b>—Hon. Timothy Warren Anglin.</p> <p><b>GRENVILLE, S. Riding</b>—John Philip Wisler.</p> <p><b>GREY, E. Riding</b>—Thomas S. Sproule.</p> <p><b>GREY, N. Riding</b>—Samuel J. Lane.</p> <p><b>GREY, S. Riding</b>—George Jackson.</p> <p><b>GUYSBOROUGH</b>—Alfred Ogden.</p> <p><b>HALDIMAND</b>—David Thompson.</p> <p><b>HALIFAX</b>—           <table style="display: inline-table; vertical-align: middle; border: none;"> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">Matthew H. Richey.</td> </tr> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">Malachy Bowes Daly.</td> </tr> </table> </p> <p><b>HALTON</b>—Hon. William Macdougall, C.B.</p> <p><b>HAMILTON</b>—           <table style="display: inline-table; vertical-align: middle; border: none;"> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">Francis Edwin Kilvert.</td> </tr> <tr> <td style="font-size: 3em; vertical-align: middle;">}</td> <td style="padding-left: 10px;">Thomas Robertson.</td> </tr> </table> </p> <p><b>HANTS</b>—W. Henry Allison.</p>	}	Matthew H. Richey.	}	Malachy Bowes Daly.	}	Francis Edwin Kilvert.	}	Thomas Robertson.
}	William McDonald.												
}	William Mackenzie McLeod.												
}	Matthew H. Richey.												
}	Malachy Bowes Daly.												
}	Francis Edwin Kilvert.												
}	Thomas Robertson.												

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**HASTINGS, N. Riding**—Hon. Mackenzie  
 Bowell.  
**HASTINGS, W. Riding**—James Brown.  
**HOCHELAGA**—Alphonse Desjardins.  
**HUNTINGDON**—Julius Scriver.  
**HURON, C. Riding**—Hon. Sir Richard J.  
 Cartwright, K.C.M.G.  
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**HURON, S. Riding**—Malcolm Colin  
 Cameron.  
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 { Ephraim B. Muttart.  
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 donnell.  
**LANARK, S. Riding**—John G. Haggart.  
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 Charles Frederick Ferguson.  
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**MUSKOKA**—Alexander Peter Cockburn.  
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**NORFOLK, S. Riding**—William Wallace.  
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 ing Snowball.  
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**PROVENCHER**—Joseph Royal.



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**QUEBEC, West**—Hon. Thos. McGreevy.  
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**QUEEN'S (N.S.)**—Silas T. R. Bill.  
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                           Frederick de Saint-Croix Brecken.
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**ROUVILLE**—George Auguste Gigault.  
**RUSSELL**—Hon. John O'Connor.
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   Charles Wesley Weldon.
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**ST. JOHN (Q.)**—François Bourassa.  
**ST. MAURICE**—Louis Léon L. Desaulniers.  
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**VAUDREUIL**—Jean Baptiste Mongenais.  
**VERCHÈRES**—Hon. Félix Geoffrion.  
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                           Macdonald, K.C.B.  
                           Amor DeCosmos.
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**WELLINGTON, N. Riding**—George Alexander Drew.  
**WELLINGTON, S. RIDING**—Don. Guthrie.  
**WENTWORTH, N. Riding**—Thomas Bain.  
**WENTWORTH, S. Riding**—Joseph Rymal.  
**WESTMORELAND**—Hon. Sir Albert James Smith, K.C.M.G.
- YALE**—Francis Jones Barnard.  
**YAMASKA**—Fabien Vanasse.  
**YARMOUTH**—Frank Killam.  
**YORK (N.B.)**—John Pickard.  
**YORK (O.), E. Riding**—Alfred Boulton.  
**YORK (O.) N. Riding**—Fred. W. Strange.  
**YORK (O.) W. Riding**—Nathaniel C. Wallace.

# THE DEBATES

OF THE

## HOUSE OF COMMONS OF CANADA

IN THE

SECOND SESSION OF THE FOURTH PARLIAMENT OF THE DOMINION OF CANADA, APPOINTED TO MEET FOR THE DESPATCH OF BUSINESS 12 FEBRUARY, 1880, IN THE FORTY-THIRD YEAR OF THE REIGN OF

### HER MAJESTY QUEEN VICTORIA.

---

#### HOUSE OF COMMONS.

*Thursday, 12th February, 1880.*

THE PARLIAMENT, which had been prorogued in the usual form, from the 15th day of May to the 24th day of June, 1879, and thence from time to time, was now commanded to assemble on the 12th day of February, 1880, for the Despatch of Business.

The Speaker took the Chair at a quarter before Three o'clock.

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

“MR. SPEAKER,

“His Excellency the Governor-General desires the immediate attendance of this Honourable House in the Senate Chamber.”

Accordingly, the House went up to the Senate Chamber;

And the House being returned,

#### CONTROVERTED ELECTIONS.

##### JUDGES' REPORTS.

MR. SPEAKER informed the House that he had received from the Judges selected for the trial of Election Peti-

tions, pursuant to the Dominion Controverted Elections Act, 1874, certificates and reports relating to the elections,—for the Electoral District of the Town and Township of Cornwall, for the Electoral District of Argenteuil, and for the Electoral District of Montmorency, and that, in conformity with the Act 37 Victoria, Chapter 10, Section 36, he had issued his several Warrants to the Clerk of the Crown in Chancery, to make out new Writs of Election for the said Electoral Districts, respectively. He further informed the House that he had received from the Judge selected for the trial of the Election Petition relating to the Election for the Electoral District of St. Hyacinthe, a certificate declaring the sitting member to be duly elected.

#### VACANCIES.

MR. SPEAKER also informed the House that, during the Recess, he had received communications from several Members, notifying him that the following vacancies had occurred in the representation :—

Of Charles Gill, Esq., Member for the Electoral District of Yamaska, by the acceptance of the Office of Judge of the Superior Court, of the Province of Quebec; Of Edgar Dewdney,

Esq., Member for the Electoral District of Yale, by resignation; Of Harvey W. Burk, Esq., Member for the Electoral District of the West Riding of the County of Durham, by resignation; Of Joseph Dubuc, Esq., Member for the Electoral District of Provencher, by the acceptance of an Office of emolument under the Crown; and Of Daniel Galbraith, Esq., Member for the Electoral District of the North Riding of the County of Lanark, by decease.

He also informed the House that the Clerk of the House had received from the Clerk of the Crown in Chancery copies of Warrants showing vacancies which had taken place in the representation, viz:—

Of Hugh McLeod Esq., Member for the Electoral District of Cape Breton, by decease; and Of the Hon. Theodore Robitaille, Member for the Electoral District of Bonaventure, by the acceptance of an office of emolument under the Crown, to wit, the Office of Lieutenant-Governor of the Province of Quebec.

#### NEW MEMBERS.

MR. SPEAKER also informed the House that, during the Recess, the Clerk of the House had received from the Clerk of the Crown in Chancery certificates of the Election and Return of the following Members:—

Of Fabien Vanasse, Esq., for the Electoral District of Yamaska; Of Francis Jones Barnard, Esq., for the Electoral District of Yale; Of P. C. Beauchesne, Esq., for the Electoral District of Bonaventure; Of William Mackenzie McLeod, Esq., for the Electoral District of Cape Breton; Of the Hon. Edward Blake, for the Electoral District of the West Riding of the County of Durham; Of Joseph Royal, Esq., for the Electoral District of Provencher; Of Donald G. Macdonell, Esq., for the Electoral District of the North Riding of the County of Lanark; and Of Darby Bergin, Esq., for the Electoral District of the Town and Township of Cornwall.

#### MEMBERS INTRODUCED.

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

Francis Jones Barnard, Esq., Member for the Electoral District of Yale; P. C. Beauchesne, Esq., Member for the Electoral District of Bonaventure; Hon. Edward Blake, Member for the Electoral District of the West Riding of the County of Durham; Darby Bergin, Esq., Member for the Electoral District of Cornwall; Donald G. Macdonell, Esq., Member for the Electoral District of the North

Riding of the County of Lanark; William Mackenzie McLeod, Esq., Member for the Electoral District of Cape Breton; Joseph Royal, Esq., Member for the Electoral District of Provencher; and Fabien Vanasse, Esq., Member for the Electoral District of Yamaska.

#### ADMINISTRATION OF OATHS OF OFFICE BILL.

(*Sir John A. Macdonald.*)

#### FIRST READING.

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

*Bill read the first time.*

#### SPEECH FROM THE THRONE.

MR. SPEAKER reported His Excellency's Speech, and read a copy thereof to the House, which is as follows:—

*"Honourable Gentlemen of the Senate:*

*"Gentlemen of the House of Commons:*

"I have great pleasure in meeting you again for the despatch of the business of the country.

"The abundant harvest with which Providence has blessed Canada is a cause for the deepest thankfulness; and I heartily congratulate you on the evidences which surround us of a recovery from the commercial and industrial depression which has so long weighed down the energies of the people.

"Our returning prosperity should, I think, direct our attention to the less fortunate circumstances of our fellow subjects in Ireland, where so much destitution prevails, and I invite your consideration of the best means of showing our practical sympathy with their distress.

"We have reason to congratulate ourselves on the number of settlers who have, during the past year, come into our North-West from Great Britain and the United States, as well as from the older Provinces of the Dominion. The visit of two members of the Royal Commission on the agricultural distress in the Mother Country, and the favourable report of the tenant farmers who, at the instance of my Government, have examined into the farming capabilities of the Dominion will, it is believed, largely increase the number of immigrants during the present year. Preparations must be made for their

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reception, and your attention will be specially called to this subject.

“Every effort has been made to hasten the construction of the Canadian Pacific Railway from Lake Superior to Red River, and no doubt is entertained that the railway will be opened for traffic between those important points within the time specified in the contracts. Under the authority given by Parliament last Session, nearly one hundred miles, from Red River to the western boundary of Manitoba has been placed under contract, and tenders are about being asked for, for the construction of another hundred miles from the boundary westward. The completion of these two sections will at an early day afford railway facilities through 200 miles of the most fertile land in the North-West. After an exploratory survey of the line from Port Simpson to the Pine River Pass and through the Peace River country, it has been decided to adopt the location of the line to Burrard Inlet, and contracts have been awarded for one hundred and twenty-seven miles of the railway between Emory's Bar, on the Fraser River, and Savona's Ferry. This work will be vigorously proceeded with so soon as the spring opens. Its construction will complete the most difficult portion of the Canadian Pacific Railway, and secure the connection by steam of the fertile district of Kamloops with the capital of British Columbia.

“The adoption of a rigid system of economy in the management of the Intercolonial Railway has, without impairing the efficiency of its working, effected such a diminution of expense as to warrant the belief that the country will in future be relieved from any considerable burden in connection with its operation.

“In consequence of the entire failure of the usual food supply of the Indians in the North-West, a large expenditure has been necessarily incurred to save them from starvation. It is hoped that the efforts which are now being made to settle the several bands on the reserves, and to induce them to betake themselves to the cultivation of the soil may prevent the necessity of similar calls for relief in the future.

“Gentlemen of the House of Commons :

“The Estimates for the ensuing year will be

laid before you. They have been prepared with all due regard to economy.

“You will be pleased to learn that the effect of the tariff of last Session in the development of the varied industries of the country has on the whole been very satisfactory. The experience acquired since it came into operation in March last, has suggested the expediency of some amendments, to which your attention will be directed.

“Honourable Gentlemen of the Senate :

“Gentlemen of the House of Commons :

“Bills for the better organisation of the Civil Service, for the consolidation of the Inland Revenue laws, and for the amendment of the Acts relating to the Dominion lands, to the Public Works, to the Indians of the North-West, and to the Mounted Police Force, will be laid before you.

“The Acts incorporating the Banks of the Dominion will expire next year, and the present would seem a favourable time for a full consideration of our banking system, and of the subject of the currency as connected with that system.

“The subject of the laws relating to insolvency will doubtless engage your attention.

“The increasing foreign trade of Canada and the prospect that Her Majesty's Government will enter ere long into negotiations with foreign nations on the subject of their trade and commercial relations demand our closest attention and watchfulness, while the rapid development of the Dominion is continually giving rise to important matters requiring the support and action of the Imperial Government. With the concurrence of Her Majesty, I therefore recommend you to sanction the appointment of a permanent representative of Canada in London to guard her various interests.

“The subjects I have mentioned are of great importance. I commend them with full confidence in your wisdom and patriotism to your best consideration.”

*Ordered*, That His Excellency's Speech be taken into consideration to-morrow.—(Sir John A. Macdonald.)

#### SELECT STANDING COMMITTEES.

*Resolved*, That Select Standing Committees of this House for the present Session, be appointed for the following purposes :—1. On Privileges and Elections ; 2. On Expiring

Laws ; 3. On Railways, Canals and Telegraph Lines ; 4. On Miscellaneous Private Bills ; 5. On Standing Orders ; 6. On Printing ; 7. On Public Accounts ; 8. On Banking and Commerce ; 9. On Immigration and Colonisation ; which said Committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them by the House ; and to report from time to time their observations and opinions thereon ; with power to send for persons, papers and records. —(Sir John A. Macdonald.)

#### PRIVILEGES OF THE HOUSE.

##### REMARKS.

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

MR. MACKENZIE : Before the House adjourns, I desire to recall to the hon. gentleman's recollection the case of violation of the privileges of this House which occurred at the close of last Session. Upon the hon. gentleman's motion then, the person who was alleged to have violated the privileges of the House so grossly was ordered to attend. That he did not attend the Journals will show, and I desire to know the course the hon. gentleman now proposes to take.

SIR JOHN A. MACDONALD : I am glad the hon. gentleman has called my attention to this matter, as it had escaped me altogether. I shall let the hon. gentleman know to-morrow what course I propose to take.

House adjourned at  
Five minutes before  
Four o'clock.

#### HOUSE OF COMMONS.

*Friday, 13th February, 1880.*

##### PRAYERS.

The Speaker took the Chair at Three o'clock.

##### CONTROVERTED ELECTION.

##### SUPREME COURT JUDGMENT.

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 Supreme Court of Canada, in the appeal of McKay *versus* Glen, relating to the

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election for the Electoral District of the South Riding of the County of Ontario.

##### REPORTS.

MR. SPEAKER laid before the House a Statement of Receipts and Disbursements of the Accountant of the House of Commons of Canada, for the year ended 30th June, 1879, with the Auditor's Report. Also, the Report of the Librarian of Parliament, on the state of the Library of Parliament.

#### PRIVILEGES OF THE HOUSE.

##### QUESTION.

MR. MACKENZIE : The hon. gentleman opposite promised yesterday to attend to the matter in the case of privilege, to which I called his attention.

SIR JOHN A. MACDONALD : I will do so as soon as the Address is disposed of. I can, at any time, move, as a matter of privilege, that the summons shall be returnable, say, in a week.

MR. MACKENZIE : Then the hon. gentlemen proposes to take fresh proceedings.

SIR JOHN A. MACDONALD : I shall base it on the proceedings of last Session.

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

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

MR. RICHEY : His Excellency the Governor-General, as the representative of our gracious Queen, having been pleased to summon the two branches of this Legislature for consultation, and to open the Session of Parliament with a Speech from the Throne, it becomes requisite that to that Speech this House should return an answer at once consistent with our duty to our Sovereign and with the dignity of this House as the great representative body of the people of Canada. I have therefore risen to move that a humble Address be presented to His Excellency the Governor-General, to thank him for his gracious Speech at the opening of the present Session, and to give those further assurances in regard to the business of this Session which are expanded on the face

of the resolutions. I may, without affectation, admit my consciousness of inability to meet the demands of this occasion in a satisfactory manner; and, in endeavouring to acquit myself of the responsibility, I shall aim only at a succinct rehearsal and review of those subjects which His Excellency has commended for the deliberations of this Legislature. I rejoice that the very first utterance in that Speech to which it seems proper to direct attention is that which acknowledges the beneficent Providence which has watched over this country during the past year, and vouchsafed to the husbandman an abundant harvest. The Providence of God has smiled upon and crowned with success the providence of man. This has been more conspicuous in connection with the agriculture of our country; but it is cause for thankfulness that it has not been restricted to that alone. We are enabled to rejoice also in increased development and activity in commercial and industrial pursuits. I know, Sir, and I do not think it is any subject for regret, that that prosperity has not flowed in upon us in as vast a volume as some have seemed to expect. I know that the right hon. gentleman who leads the Government of this country and those who are associated with him have been taunted because that prosperity has not seemed to flow in in the manner in which those who have brought the accusation and taunt have thought fit to assume was predicted regarding it. But there is abundant evidence that the tide has turned, and those who have read Macaulay's History of England will recall the simile by which he endeavoured to illustrate the advance of civilisation: likening it to the tide which, whilst it is rolling upwards and onwards, may seem to the casual observer at times to recede, but, with every fresh wave, marks a higher point upon the shore. Such a simile, I think, may be well applied to our position at the present time and the advance which this country is at this moment making. Mr. Speaker, whilst we are enabled to felicitate ourselves upon the advantages which we possess and that degree of prosperity which has been granted to us, it is matter for regret that other portions of the Empire have suffered distress. In England itself, the very seat and centre

of this vast Empire, the last season has, like others preceding it, been marked by agricultural failure. But it is from Ireland—that home of a noble race which has contributed so largely to the glory of the Empire, giving valiant soldiers and generals to fight her battles and eloquent statesmen to adorn her legislation, and which has done so much for the colonisation of the Empire—that land to which, I presume, many may be found within these walls who can trace their ancestry, and also hundreds of thousands throughout this Dominion—it is from that land that the wail of distress is borne to us across the ocean; and I feel quite sure that there is no one in this assembly who will not respond fully, heartily and completely to the suggestion which His Excellency has thrown out, that we should consider the best means to be adopted to contribute our quota of relief to that suffering people. And, if I may appropriate an idea of which I do not claim to be the originator, I might ask what better means could be adopted of manifesting our sympathy than contributions in kind? If Providence has been so gracious to us that our barns are filled with plenty, why not send forward by the railways which we control to the sea, a portion of our surplus produce, and, at the sea, our own vessels are waiting to convey it to the shores of Ireland? I am quite sure that, when the flag of the Dominion is unfurled within the harbours of that island, a feeling will be excited exceeding far any that could be called forth by mere contributions in money. There I may advert to another portion of His Excellency's Speech, in which he refers to the distress of the Indians in the North-West. I cannot question that this House will cheerfully endorse the action of the Government, which has been induced by necessity to expend a large sum in order to save those aborigines from starvation. Whilst we congratulate Ministers upon the means which are being adopted for the settlement of those Indians in the country, and the turning of their attention to industrial pursuits, we look forward to the settlement of that country by a different class of people. During the past year, there have been a large number from the old country, from the older colonies, and from the United States, who have settled in the North-

West. It is a striking evidence of the excellence of that portion of the Dominion which is being opened up, that the influx of population from the neighbouring States has been so great. Of 8,000 who entered it, under an arrangement made by one party who had the conveyance of those persons, 2,000, or one-fourth, are said to have come from the United States of America. If that statement be true, it furnishes a commentary upon much that we heard in connection with the relative advantages of our country, as compared with that on the opposite side of the border, during the last Session. There has been, to some extent, distress in other parts of the country, but this, I presume, will be sufficiently overtaken by local efforts of our people, with the understanding that, in all cases where local contributions and efforts are available and adequate, it does not come within the province of Parliament to afford relief. I have said that we may rejoice in the accession of population which has been witnessed during the past year in the North-West Territory, and we may certainly look forward, as a consequence of the visits which have been paid to this Dominion during the past year by the Royal Commissioners of Agriculture, and by the tenant farmers who came out to inspect our country and who have carried home such valuable and favourable reports, to a very great increase in the numbers who will seek to domicile themselves in this Dominion during the coming year. If there is one thing more than another in which I think this Dominion has failed in its duty towards those seeking a home in new countries it is in this, that proper pains do not appear to have been taken in order to make them thoroughly acquainted with the advantages offered in this country, and to facilitate their progress through it and their settlement in it after their arrival. I think, in accordance with the suggestion which is thrown out by His Excellency in his Speech, that it becomes the duty of Parliament to adopt such measures as may be necessary in order to afford to those who may arrive among us a proper reception, and that it will devolve upon the Government of the day to take such means in the appointment of their officers that, whatever reproach this country may have suffered from in the past will be entirely

avoided in the future. The settlement of the North-West, the introduction of a large number of emigrants to it will however be entirely vain and futile if means are not adopted and promptly carried forward, for opening up communication between it and the other parts of this Dominion, and for affording facilities for the transit of the produce of that country to the markets of the world. It is on this account that I observe with pleasure the assurance that the Pacific Railway is being pushed forward with vigour and success, and that in a very short time we may hope to see the line between Lake Superior and Winnipeg in full operation, so that, before many years have passed—but little over two years at the outside, I presume—we may expect to have a locomotive travelling from Thunder Bay to Winnipeg. We have also, Sir, the information that one hundred miles beyond is already under contract and tenders are being received for one hundred miles still further, thus opening up two hundred miles into that wonderfully fertile country into which we are hopeful of introducing so large an emigration. That this is being done, and that the Government, as I am assured they do, expect to be able to complete that railway beyond Winnipeg and equip it fairly at an expenditure not exceeding \$10,000 per mile are facts upon which we may well congratulate the Minister who has that Department more particularly in charge, and the Government with which he has been associated. Then, in connection with those facts, we have the information afforded us that, after a full survey and a thorough investigation of the various advantages afforded by the different proposed routes, the Government have selected Burrard Inlet as the terminus in British Columbia. That, I think, will afford satisfaction to both sides of this House, to all who are here assembled representing the different views which have obtained in this Dominion regarding that line of railway. I certainly participate in the feeling that the selection has been a most wise and judicious one, not only diminishing the cost of the railway itself and the distance to be traversed, and thus bringing us nearer to the eastern countries, but at the same time presenting advantages which must have commended it to the present Government as they did to the

past. Although it would take a long time to traverse the distance that intervenes between the Pacific and the Atlantic, I pass at once, by transition of thought, from British Columbia to that portion of the Dominion in which I am more particularly interested, and the portions of country connected with it. I refer now to the Intercolonial Railway, regarding which we are assured that a system of the most rigid economy has been introduced in the interest of that particular branch of the Public Service, and in the interest of the country at large. No doubt, in carrying out this principle of economy, the Minister who presides over that Department must have felt that, whilst he was performing an important and necessary service, he was, at the same time, performing a somewhat ungrateful one. The cutting down of salaries, and the diminution of the number of employés upon a road such as that could not but be attended with some inconvenience to a large number of persons employed upon it. But, when we consider the fact that, year by year, there was rolling up a deficit of about \$500,000 in connection with that railway, and how necessary it is to overcome the disadvantages which attend upon so long a line of railway, connecting us with our ocean ports, we must commend the course which the Government in this case has found itself bound to pursue. And I think, Mr. Speaker, after we come to study the figures, to learn how far that policy and that course has been successful, we shall exult in the prospect of a very rapid approach to a time when the discrepancy between the expenditure and the receipts will be entirely done away with. Deeply interested in that railway, as the representative of the city which is its eastern terminus, I have sought for some information connected with its management and have been favoured with that information, to a portion of which I shall call the attention of the House, in connection with this particular paragraph in the Speech. I have already adverted to the fact that we have been carrying a deficit in connection with that railway of \$500,000 a year. I find that, for the last six months of the year 1878, that deficit amounted to \$217,589.17. In operating the Railway, the working expenses, including general renewals, amounted to \$1,117,427.60, in-

clusive of a charge from the General Renewals Suspense Account of 1877-78 of \$168,396.03, deducting which, we have the net result of \$949,031.57 as the cost operating the railway during that six of months, while the receipts were \$731,442.40, leaving us with the deficit to which I have referred. Now, Sir, I find that, in the corresponding six months of 1879, instead of an expenditure of \$949,031.57 we have an expenditure of only \$753,469.13, and, although the receipts for that six months were somewhat less than for the six months of 1878, namely, \$721,277.42, we have to congratulate the Government upon the fact that the deficit is only \$32,191.71. I have said that the receipts for that six months were somewhat less than for the six months in the preceding year; but I am glad to be able to supplement that by the statement that, if we take seven months, including the months of January, 1879, and January, 1880, respectively, the receipts for the latter period are considerably in excess of the receipts for the corresponding seven months, ending with January, 1879. We have a total of something near \$839,277, as compared with \$812,308.42. When, Mr. Speaker, I thus refer to the reduction of a deficit which amounted to \$217,500, to one of a little over \$32,000, I ought not to omit to mention the fact that the miles of railway in operation have been 840 as contrasted with 714 miles in the previous year, thus showing an addition of 126 miles, owing to the transfer of the Rivière du Loup Branch. The statements in reference to the burden which it was said would be put upon the country in consequence of that purchase are thus proved to have been, in a large degree, unfounded. I may mention another fact in connection with this, namely, that, for the six months ending the 31st of December, 1878, the number of miles run by trains was 1,341,030, and, for the six months ending December, 1879, the number was 1,419,194, showing an increase of 78,164 miles run during the latter period. These statistics may be somewhat dry, but they convey important information, and I have thought it desirable, in connection with this paragraph, to place them before the House, having had the opportunity of obtaining them afforded me. I sincerely trust that the



period is not remote when the Minister of Railways and Canals, having reached an amount of receipts commensurate with the expenditure which he finds it necessary to incur on that road, will be able to grant to the country such favourable terms as will enable us more effectively to open up an increased and continuous interprovincial trade. Whilst this burden of half a million dollars deficit per annum was weighing upon the country, we found it difficult to obtain all those concessions necessary to the development of trade. But now we look forward, under the present management, to realising the hopes long cherished on that subject. There are many industries—the agriculture of the west; our manufactures and mineral resources, opening up to some extent in the east—all of which we trust will reap advantage from the improved terms thus foreshadowed. The next subject to which I desire to direct the attention of this House is the realisation to an encouraging extent of the hopes based upon the passage of the Tariff Bill at the last Session of Parliament. It is cheering to see it recorded in the Speech from the Throne that the development of the varied industries of the country has on the whole been very satisfactory. In the east, we have felt some beneficial effects directly from the operation of this Tariff. We have seen our West India trade renewed. We have found that the predictions regarding the manner in which the prices of commodities would be affected have not answered the expectations of those who have ridiculed the Tariff on that ground. We have seen old industries revived, and new ones starting up. We have heard of the Minister of Finance receiving those assurances, from all sides, which must inspire him with confidence in the policy which the present Administration inaugurated, and are prepared to carry forward. But, although the Tariff was a thoroughly well considered and excellent measure, yet, as any work emanating from the most gifted human brain cannot be perfect at once, it is natural to expect that amendments will be required, and I, for one, shall feel under the necessity, on behalf of my own constituency, of drawing the attention of the Minister of Finance to some amendments which will be most desirable.

MR. RICHEY.

Some HON. MEMBERS: Hear, hear.

MR. RICHEY: In response to those ironical cheers, I have to say that we may felicitate ourselves upon possessing a Government willing to receive and anxious to consider those suggestions for improvements which may be found necessary. Yes, Sir, I shall be under the necessity of bringing to the notice of the hon. the Minister of Finance suggestions in the way of modification of the Tariff; and I have no doubt that similar representations will be brought from other parts of the country, and will receive due consideration. Leaving the subject of the Tariff, I may now refer to the proposal for Civil Service Reform. I believe that the Civil Service of Canada compares not unfavourably with that of other countries, but, if we are to adhere to the principle which has been adopted, of permanency in that service, if we are to rescue it from the evils to which it has been exposed through the excitement of party conflict, it is exceedingly desirable that we should have some scheme by which those who are introduced into it as permanent servants will reach it through something like a competitive examination which is found to work so well in another portion of the Empire. If that has been found to have been carried too far in some respects, and those who have tried it have had to recede in some degree from the position originally assumed, I trust that the Government, in preparing their measure, will avail themselves of all the information which has been obtained in the Mother Country, as I have no doubt they will, and that a measure will be submitted such as this House can adopt and readily carry though. Our attention is called to the fact that the law incorporating the banks of the Dominion will expire next year; and the necessity for a full consideration of our banking system and of the subject of the currency, as connected therewith, is suggested to us. All will admit the great desirability of placing the banking institutions of the country upon a firm and sound basis, and, as the circulation of the currency of the country is somewhat like the circulation of the blood in the human system—life depending upon its activity,—it is necessary that we should preserve it in healthful condition. I shall say nothing more in connection with this at the

present moment than that, looking to the development of this country, looking to the vast resources we possess, looking to the opening up of that great North-West, I believe that the question of an increased issue of the currency of this Dominion may very well be submitted to us by the Government of the day. Another topic, and almost the last upon which I shall find it desirable to touch, is the Insolvent Act. To that subject our attention is invited, and, although I have strongly felt, and felt during the last Session, how possible it was that we should go too far in removing from our Statute-book legislation which stood upon it without some well-considered substitute; although I felt a desire that an Insolvent Act should be still continued, I confess that, after all that I have heard during the year that has since elapsed, and from what I have been able to gather of the feeling of the commercial communities of this Dominion, I am inclined to the conviction that it would be wise were we, for a time, to repeal the Insolvency Act. There are important matters which such an Act as that should subserve: there is the protection of the insolvent himself, the protection of his creditors, and the advantage to the country of setting free whatever commercial talent it may possess. If we can obtain an Act which will fairly answer these conditions, I shall be prepared and desirous to record my vote in favour of such a measure. In the meantime, this Act has not answered those purposes. It is found to be extremely inconvenient in its operation, and, guided by the old legal maxim that "an inconvenience is worse than a mischief," I trust that the course to be pursued in connection with this Act will rather be to abolish it altogether than to indulge in any more expedients in connection with it. Now, Mr. Speaker, I have thus run over the several subjects referred to in the Speech which seem to connect themselves with what we may term our internal affairs. With internal affairs alone this Parliament has to deal; internal affairs alone we have been called upon to consider on former occasions. To-day we are asked to consider a subject which connects itself rather with our external relations, and, whilst we have every freedom in connection with that legislation which pertains to our own country, there are many matters of the deepest inter-

est and significance to us as a Dominion which must be transacted and negotiated through the Imperial Government, and all will feel how necessary, it is that at the very seat of the Imperial Government itself, we should have someone accredited who would have the opportunity and who would possess ability to represent this country fully and faithfully. Anyone entrusted with such a mission as that must be the possessor of rare qualities. He must be a man thoroughly conversant with all the interests of his own country, with a mind wide enough to grasp the general relations of the Empire, with firmness to discuss and enforce by argument all that is necessary to be considered in connection with the country he represents, and an urbanity which will render him acceptable to those he addresses. Such men are rare in any country, but I believe that Canada is not without them, and such a one I have no doubt the Government will be able to place its hands upon, should this House adopt the suggestion which has been thrown out for the appointment of a permanent representative of this country in London to guard her various interests. I shall not presume to detain the House further than to express my thanks for the patient hearing which I have received, and to move, as I now do, the resolution to which I referred in the earlier portion of my remarks.

Mr. HOUDE: Mr. Speaker, if, on the one hand, it is a difficult task for me to address the House on this solemn occasion, to second the Address moved by my honourable friend the worthy representative of Halifax, in answer to the gracious Speech of His Excellency, on the other hand, this task is rendered agreeable to me by the thought that in performing it I find a favourable opportunity of making myself the humble echo of the sentiments of approbation and confidence which the great majority of the people visibly entertain towards the present advisers of His Excellency, for the courageous, enlightened and patriotic policy which they have followed since their accession to power. But, before bestowing congratulations on them, however well merited they may be, it is proper that we should join with His Excellency in thanking the Almighty for the benefits which He has been pleased to shed

this year on Canada, by blessing it with an abundant harvest, which has fortunately been accompanied by a visible improvement in the condition of commerce and manufactures. As to these benefits, we have not deserved them more than other people, who have not had the advantage of seeing their land, cultivated by their labour, produce with equal abundance. It is for this reason our gratitude should be so much more intense, more sincere, towards Providence, whose designs are unfathomable, and who often cherishes and saves all, by trials to a nation, as to individuals. And how could we prove it better than by joining cordially in the generous thought expressed in the Speech of His Excellency, to take a little of our abundance so as to contribute to the relief of the sufferings of an unfortunate people who are passing through the horrors of famine? I am happy that the Government of His Excellency should have suggested this practical means of coming to the assistance of our brothers in Ireland in the days of distress through which they are passing. It is an example of generosity given with delicacy, and which will no doubt produce its fruits. This substantial mark of our sympathy will touch the grateful hearts of the high-minded Irish people, and will draw still closer, if it be possible, the numerous bonds of firm friendship which unite them already to Canada. Not only do we compassionate their present misery, but I think there cannot be a single Canadian, of whatever origin he may be, who does not wish—while recognising, on the one hand, the moderation, the prudence, the nobility of the guides of public opinion at home, and on the other the wisdom and the liberality of the Mother Country—to see disappear one day the political causes, the origin of which takes us back to the struggles and revolutions of the Middle Ages, and to which is due, at least in part, the periodical return of these times of distress. I consider that we should be unworthy of the sweet and ample liberty which we enjoy, if we did not desire at the same time to see it shared by all our fellow-creatures, above all by those who live under the shadow of the same flag as ourselves and whose brilliant genius has already distinguished itself in arts, literature and science, from the first ages of our era, when the greater part of the nations

which we admire at the present time were much less advanced in civilisation. To bind up the wound which, by impoverishing and embittering Ireland, embarrasses and weakens Great Britain itself, and that without violent revolution, but by purely initiatory remedies, is indeed one of the greatest social problems which has ever commanded the attention of publicists, politicians, and rulers, and the happy solution of which would make its authors more illustrious than the conquest of whole continents. Trusting in the sagacity of British statesmen, as well as in that tendency which, in our time, manifests itself a little everywhere, even in Scotland and England, I do not despair of seeing that desirable solution arrived at, which not only would renew the aspect of Ireland and increase still more the prestige and power of Great Britain, but would have, moreover, consequences almost incalculable for mankind. Picture to yourself Ireland, with her five millions of inhabitants, pacified, prosperous and happy, by the side of Great Britain, with which she has really so many identical interests, ten millions of Irish people spread over the five parts of the globe, living contentedly under the shadow of the same flag as the sons of England and of Scotland, and the rival powers or enemies not daring any longer to count upon the discontent of the Irish in order to paralyse part of the strength of the British Empire, and you will certainly agree with me that it would be a change, the consequences of which, happy without any doubt, for these three beautiful countries, whose interests are intimately bound together by nature, by their geographical position, and which ought to be so too by the aspirations of their respective inhabitants, would exercise a considerable influence on the modern world; and I think it would be equally for the better as to us Canadians. With regard even to the interests of our country, we should have to congratulate ourselves on the disappearance of a discontent and an agitation which, carried to the United States with the tide of Irish emigration, have already obliged us to spend large sums of money in order to provide for our safety in the past, and which have not yet ceased completely to be a danger for the maintenance of friendly relations with our neighbours for the future. Less than

a century and a quarter ago, the British Flag raised on the Citadel of Quebec floated as a signal of mourning for the inhabitants of Canada. Since then, our fathers have defended it with devotion on the field of battle, and to-day their descendants carry it with honour on their national holidays. What it has been to Canada, we wish that it may be to Ireland; a guarantee of peace, of prosperity and of liberty. The country has observed with satisfaction that, since their journey to Europe last summer, the right hon. the Prime Minister and some of his colleagues have succeeded in attracting in a greater degree the public attention of the United Kingdom towards Canada, and in giving a more exact idea of its natural riches, and of the undeniable advantages which it offers to emigrants applying themselves to the noble work of agriculture. It was followed by the visit to our vast and fertile regions in the North-West of a delegation of the Royal Commission, charged to enquire into the causes of the depression of agriculture, and also from several competent agriculturists, who all left with a very favourable impression of our country. The Government, therefore, have reason to expect this year an increase in the number of emigrants belonging to the agricultural class, and they propose to take measures in consequence. We have not at this moment the same advantages to offer to other classes, to mechanics for example, that class being already overcrowded here in most kinds of industry. Parliament will, no doubt, second willingly the efforts of the Government to encourage, without too much expense, the emigrants of the first class to settle themselves permanently in Canada, to identify themselves with the country, and to work in common with us to make an inheritance worthy to be the pride, and to deserve the attachment, of their children. In the past, numerous causes have contributed to win away from our country the current of European emigration, and to increase the tide of emigration of our own population; but the principal ones appear to me to be the following: first, the want of a diversity of careers open to the fitness and to the tastes both of foreigners and of Canadians themselves; then, the want of knowledge of our natural resources on the part of a great number; moreover, the

acrimonious contests which have agitated the country under the legislative union of the two Canadas; deplorable contests, which hindered at the same time the Canadians of different origins from fraternising together, and considering themselves as fellow-countrymen, and retarded the march of the state on the way of progress and national greatness; in short an exaggerated infatuation for the United States and their institutions. Thank God, these causes of our past difficulties are disappearing rapidly. Thanks to the National Policy, lately extolled by the Opposition, and since then repudiated by them, but boldly put into operation by the present Government, native industry is tending to take more diversified channels, agriculture to raise its head, commerce to develop itself, and a multiplicity of pursuits to increase in proportion. The fertility of the soil of Canada is better known; her climate so salubrious is less dreaded by reason of our winters; her noble and free institutions are better appreciated; the progress which she has made, and continues to make, is more observed; in a word, her future appears thrown into a more brilliant light. Fortunately, also, the establishment of the federal system, while favouring to a greater extent a spirit of enterprise and invention, and consequently material progress under various forms, has by the decentralisation of power, or the division of legislative and administrative labour among several political bodies, independent of each other in the sphere of their respective functions, removed at once the cause of much coldness of feeling, and the conflict of rival or opposition interests. Whence proceeds the gradual extinction of prejudices and a tendency towards mutual charity, because every day people learn to know and to esteem each other better. There are persons who deny the influence of political and legislative systems upon the character of nations; but this influence, nevertheless, does exist, and every attentive observer has remarked their influence in almost every country. Regarding, in this point of view, which appears to me a practical and a logical one, the legislation adopted last Session, one is compelled to recognise that it has had the effect of developing a wholesome public spirit in all the Confederated Provinces, by furnish-

ing the means of showing more clearly the union of interests which exists among the various parties of one and the same country—that is to say, members of the same body—and that one portion cannot be strengthened without the others feeling the effect. This far-sighted policy, this enlightened public spirit which makes it to be approved and supported, causes me to hope that the patriotic scheme brought forward by the hon. the Minister of Agriculture seven years ago, when he was at the head of the same Department as part of a former Administration, will be continued this and the following years. I speak now of the encouragement given to Canadians living in the United States to return to their native country and rendering it more easy for them to go and establish themselves on the lands in our North-West Territory, a country with a great future before it. In every respect, one could not expect to find a class of colonists more worthy of the benevolent consideration of the Government. They are already acquainted by experience with our climate, almost all of them have already cultivated the soil, they have the same manners and customs as we have, they love our institutions and are attached to them, they ever cherish Canada as being their native land, which they have quitted with regret, being forced to do so by adverse circumstances, and with the intention of being absent therefrom as short a time as possible. Drawn away by an illusion, in common with many others, they thought that they might be able to make a little fortune in a short time and immediately return to the country. The greater portion of them failed in the attempt, but they do not the less deserve on this account our sympathy and encouragement, and so much the more, inasmuch as we have need of colonists of this character to open up our North-West Territories to agriculture and progress. It cannot be plausibly objected that, before doing anything to encourage Canadians now in the United States to establish themselves in Manitoba, or some other portion of the North-West, we ought in the first place to come to the aid of Canadians living here who equally desire to go west; for it must be remarked that the Government has not the same interest in favouring the mere transplanting of our population from one

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part of Canada to another as it has in attracting from foreign countries colonists whose establishment on our soil would add to our numerical strength and to our national wealth. Without reckoning the fact that the return to Canada of Canadians now living in the United States, forms one of the most efficient advertisements of the advantages offered by our country to emigrants who wish to devote themselves to agriculture, at the same time it is a commendation of our institutions as compared with the greatly extolled, perhaps too greatly extolled, institutions of our neighbours that ours contain the best provisions which are to be found in theirs without imitating their most defective features, and I do not believe that this fact is completely foreign to the desire, possessed by the greater number of Canadians living in the United States, of returning to live in their native country. It is a desire which honours them as much as it should rejoice us and revive our devotion towards preserving intact the precious arch of our own institutions. The country will learn with joy that, by reason of the vigour with which the Government has pushed forward the works of construction of that portion of the Pacific Railway between Lake Superior and Red River, we shall soon be placed in direct communication with the sister Province of the west, by a line of railway passing entirely within Canadian territory. We cannot fail to recognise the great advantages which the colonisation and development of Manitoba and the North-West will derive from the immediate construction of almost one hundred miles of railway to the west of the Red River, and from the construction afterwards of one hundred additional miles, being a prolongation of the first portion in the same direction across a fertile extent of land, well fitted for agricultural purposes, and which, in course of time, will attract thousands of colonists if, as we have every reason to expect, the price of land continues within the reach of every purse. With the watchful care which has so far distinguished it, the Government will take care that the great monopolists will not have too great license in extending the line of their speculations, to the injury of the interests of emigration and the advance of these important regions

in the way of development and progress. In order to rival with advantage the United States, which contend with us for, and too often carry off, the better class of emigrants by means of the liberal offers which they make to them, by all means it is necessary that the price of our public lands, which we are desirous of colonising should be placed at the very lowest figure. For the first and the principal compensation which the country will expect in return for the burden imposed upon it by the construction of this gigantic Railway is the rapid settlement of these vast and now all but desert regions and the traffic thus to be derived from them through their surplus products and their importations in exchange therefor. The construction of one hundred and twenty miles of railway, to be commenced early in the spring and vigorously proceeded with is a tangible proof of the desire of the present Government to do justice to the inhabitants of that Province. The country will approve of the course of thus redeeming as far as possible the promise given in its name; as it must see with satisfaction that the Government seems to be of opinion that these works are proportioned to the resources of which it can at present advantageously dispose, and that, before putting the remainder under contract, they will, as I fancy endeavour to procure the necessary means otherwise than by new foreign loans, so as to avoid too much drawing on the future or incurring the risk of burdening the present inhabitants of the old Provinces for the over-exclusive benefit of a population not yet located in that country, and which, when they come to dwell in it, will have contributed least to these costly public works. The final selection of the Burrard Inlet route, and of the western terminus of the Pacific Railway gives the Government a twofold title to our felicitations, because, in the first place, we are thus enabled to put an end to the heavy expenditure involved by the surveys in that difficult region; and, in the second place, because that decision proves that the Government are not afraid to follow, in the interests of the country, the footsteps of their opponents, when the latter appear to them to have followed a proper course. They regret perhaps that the late Cabinet

should have left them so few footsteps in which it would be safe to follow. The public will learn with satisfaction that, thanks to the able and economical management of the hon. Minister of Railways and Canals, the Intercolonial Railway which those who opposed its construction said would be the ruin of the country has already ceased to be a serious charge upon the public chest. There is now no doubt but it will become a lucrative undertaking for the trade of the country, whereby the completion of the Canada Central and the extension eastwards of the Pacific Railway to the western terminus of the latter, or of some equivalent branch will have placed the Q. M. O. & O. Railway in direct communication with the North-West, and a suspension or other bridge across the St. Lawrence, above Quebec, will have linked the latter with the line from Levis to Rivière du Loup. This would be a sure means of largely increasing the traffic on the Intercolonial, while doing justice to the Maritime Provinces, and the Province of Quebec, and of avoiding the danger of the trade of the west being diverted from our railways, waterways and ports, in order to replenish the railways, canals and ports of the Americans after passing through but a small part of the Province of Ontario, from which our friends in that province would profit nothing, while the country in general would suffer serious loss. It is satisfactory to witness in this connection the manifest desire of the present Government not to expose useful and necessary Canadian undertakings to be ruined by unfair foreign competition. It is to be regretted that, in order to preserve the Indians of the North-West from the straits of famine, a large expenditure of money has this year been found necessary; nevertheless, it is still less costly to feed these primitive owners of the land we occupy than to hunt them away as is done in other parts of this continent, to say nothing of the fact that the former course is more Christian and more honourable. In this case the Government has shown itself faithful to the traditional policy of honesty, generosity and kindness characteristic of the authorities of Canada towards these wild children of the forest. The efforts of the Government to habituate them to cultivate the soil and to seek

their means of subsistence therein are most praiseworthy, and it is not impossible that, with time and patience, we may succeed in a certain measure in accomplishing, on a large scale, what has been attempted with some success in a small way in other parts of the country. I was specially gratified, and my honourable colleagues of this House, no doubt, shared the pleasure with me, that, in the preparation of the Estimates for the ensuing year, due regard has been had to economy, so far as was compatible with the efficiency of the public service, and it is evident that the Government is awake to the fact that the burden of our public expenditure has about reached the limits marked out by prudence, and that it cannot be largely increased without bearing too heavily on the tax-payers. The proof that the leading plank in the platform of the present Government has not fallen into disfavour with the people in general is the fact that, in the individual elections, quite a number of which have taken place within a year, the friends of the Government have not lost an inch of ground, and have carried several strongholds from the Opposition. From the shores of the Atlantic to the shores of the Pacific, the great voice of the people has once more proclaimed that the country still places confidence in the Administration of the day. The latest echo of that voice which, under our Constitutional and Parliamentary system, makes and un-makes Governments, has just this instant reached us from the great county of Argenteuil. In selecting a gentleman personally so estimable as Dr. Christie, the electors of that county were confident of doing well; but they felt that, by substituting for him a Conservative and Protectionist, the Hon. Mr. Abbott, they were doing still better. I regret this for the sake of the hon. the leader of the Opposition, whose companions in arms are far stronger in valour than in numbers, but I rejoice at it for the sake of the country. The people see the various industries of the country resuming increased activity, furnishing more constant and remunerative employment to a greater number of persons, and, despite the sophisms of Free-trade theorists, they see that agriculture and trade alike feel the impulse given to home production, and cannot but benefit by a better home market induced by a re-

stricting of foreign competition. It is natural in the elaboration of a new Tariff, more especially after a change of fiscal policy, that more or less of a margin should be allowed for unforeseen matters, so that it is not surprising that experience should have shown the expediency of adopting certain changes of detail in the Tariff adopted last Session. It will be our duty to assist His Excellency's Ministers in that task, in place of seeking uselessly to embarrass them. By preparing a measure for the re-organisation of the Civil Service, the Government have earned a further title to the gratitude of the people, for it is time something was done in the matter. From a thorough reform of the Civil Service, many important advantages must result. Offices will be filled in many cases by more competent persons, consequently a reduction in number will be effected; the work will be better done and will cost less; merit will be more easily recognised; Ministers will lose less of their valuable time; the representatives of the people will be more independent, and the members of the Government also. Besides, we may hope that the struggle for public offices will undergo a salutary relaxation, which is much to be desired, unless we want to see the number of public servants equal, or in fact exceed, those of the served. The necessity of a consolidation of the Inland Revenue Laws was keenly felt, for they are obscure, incomplete, and often defective. As regards the mode of dealing with native tobacco more especially there is great need of amendment and modification. While affording us a real improvement in this respect, the hon. the Minister of Inland Revenue would afford us a pleasant surprise if, some fine day, circumstances should enable him to tell us that he had taken steps with a view to ascertain what kinds of tobacco would succeed best in this country, and the mode of culture it would be most advisable to teach and commend to cultivators, as is done with respect, for instance, to the cultivation of the sugar beet, so as to substitute as far as possible a native for a foreign product. I see here a good source of future revenue for the Government, and of wealth for many of our farmers. The other measures announced in the Speech from the Throne, in relation to Crown Lands, Public Works, the Indians of the

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North-West, and the Mounted Police Force, show that the Government has closely studied the requirements of the country during the recess, and sought for the means of meeting them, and that they intend to give us plenty to do during the present Session, a boon for which those who are naturally disposed to find the time hang heavily will owe them special thanks. It appears to me a happy coincidence that the bank charters of the Dominion are just about to expire at a moment when public opinion in the country is loudly calling for the enactment of more stringent laws particularly as regards inspection, in order to afford better security to the public and to the shareholders of the banks themselves, and when there is quite a strong feeling in favour of restricting the sphere of operation of the banks by further extending the circulation of Dominion notes. This is a question of vital importance to the credit and prosperity of this country, and demands our utmost attention, scrutiny and prudence. The Insolvency Law is also a most important question, with which we dealt at too late a period last Session. It is to be hoped that we may not separate this year without having amended it in such a way as to improve many of its faulty provisions; otherwise I should for my part feel bound to vote for a pure and simple repeal, as I did last Session; and I think the opinion of the House is still the same on this subject. Mr. Speaker, the last paragraph of the Speech from the Throne shows conclusively that the appellation "National" applied to the policy of the Government which the suffrages of the people placed in power by so splendid a majority on the 17th September, 1878, is well deserved. In fact, as a Canadian, one feels raised up by its far-seeing and public-spirited policy. In reading this paragraph, one sees the dawn of a new era for Canada, and that henceforth we shall count for something in the eyes of other nations. This will only increase the prestige of the Mother Country, to which we owe these progressive developments of our national existence—developments happily accomplished and which demonstrate both the excellence of the institutions with which she has endowed us and our own vitality. The appointment of a permanent representative of Canada in London will be an epoch in

our history. Honour to the statesmen capable of accomplishing such great things without social convulsion or political commotion, who have found other means of making Canada great without diminishing the greatness of the vast and glorious Empire of which we form a part. With great pleasure, then, Mr. Speaker, I beg to second the Address in reply to the Speech from the Throne.

MR. MACKENZIE: Before the Address passes, I desire to offer a few remarks to the House—not that the matter of the Speech affords much ground for debate. Altogether, the Speech contains the promise of the amendments of five measures, three of which have been consolidated or amended already by gentlemen opposite, a renewal of the Banking Law, and, as we learned from the speech of the mover, the abolition of the Insolvency Law. This is the entire programme provided for the Session. The hon. gentleman opposite was accustomed in former years to taunt the late Administration with the paucity of the bill of fare presented, although we never pretended to present a catalogue of our measures in the Speech from the Throne. But no such meagre bill of fare as this was ever presented to a Canadian Parliament. An hon. friend beside me remarks that this is Lent, and no doubt we have here a Lenten bill of fare. I would not complain of it were it from any other gentlemen in office; but, as the present gentlemen insisted in former years that the Queen's Speech should contain a complete programme of the work of the Session, we must assume that this is all the work they have prepared for us. Before proceeding to criticise, as I shall, some of the statements made, I desire to call the attention of the hon. gentleman at the head of the Government, and the Minister of Railways, to the gross indecency of putting special statements and returns, up to within a few days, into the hands of a member of the House, of which all other members have been deprived. We all had a right to those special returns; any paper used by the Government in debate must be produced to the House. The hon. member for Halifax (Mr. Richey) after telling us he was, to use his own words, "favoured with special information," proceeded to deal with the figures arranged



by the Minister of Railways, and we are expected, without possessing the documents, to reply to his statements. I have never known anything of the kind done before. The subjects dealt with in the Speech suggestive of future action, apart from the two or three measures promised for the amendment of existing laws, are those to which little or no exception would naturally be taken. The congratulations as to the harvest should be fervently responded to by the members of the Administration, because, if Providence had not been kind to them as well as to the country in sending them a plentiful harvest, their state at present would be one of complete paralysis.

MR. BABY: We helped Providence.

MR. MACKENZIE: An hon. Minister says they helped Providence; well, I am not at all surprised that they imagine themselves capable of doing even that. However, we on this side of the House will stick to Providence.

AN HON. MEMBER: But Providence will not stick to you.

MR. MACKENZIE: Providential action will be much more beneficial than any ministerial measures could possibly be. I was somewhat surprised at the fervent manner in which the member for Halifax congratulated the House on the emigration policy of the Administration. He said—from his special information, no doubt, not given to any of us—that 8,000 people had passed from the United States into Canada last year.

MR. RICHEY: I said that, of 8,000, 2,000 came from the United States.

MR. MACKENZIE: Yes, and the 2,000 in the first place entered Canada at Ogdensburg and Montreal from the Eastern States, and were then classed as Americans, though really returning Canadians, coming into Canada, and, when they passed through Ontario, and again passed by Detroit or Sarnia into the Western States towards Manitoba, where they were again classed as emigrants from the United States; that method had the effect of doubling the number. But the hon. gentleman did not tell us how many Canadians went from Halifax to the United States, and from the port of St. John. I have special information also, though not from the Government, and learn that from the city the Minister of Finance represents, by the

steamship line during the past season, no less than 6,000 left to settle in the United States, over and above the ordinary passenger traffic. How many went by rail-way or coasting schooners I am not able to say. I saw the statement of the United States Consul a few days ago, about a port in my own county, from which alone, it appears, about 24,000 Canadians have passed to settle in the United States. Instead of having matter for congratulation, we have reason to doubly deplore the existing state of trade and business which has compelled so many of our fellow-citizens to seek a refuge in a foreign country. We are asked to congratulate ourselves because a considerable number of people went from the older Provinces to the North-West Territories. I do not think it is any matter for rejoicing that people go from one part of the Dominion to another. It would be matter for congratulation if we were able to point to a large emigration from the old country; but gentlemen opposite were afraid of such an emigration, as they passed, lately, an Order-in-Council preventing the landing of any emigrant at Halifax, unless possessing \$20; that is their method of encouraging emigration. I am not blaming them for discouraging unsuitable emigrants from leaving Europe. I know it is matter of bitter complaint in Toronto that hundreds have been arriving every week totally unsuited to Canada, and who never had anything to do with agriculture, but who have been, as paupers, thrust upon Canada, with assisted passages. Agricultural classes should be encouraged to come, and not stopped on our coasts by a demand for twenty dollars. This is the state of matters as respects emigration, and I am surprised that the member for Halifax should not, with his usual candour, have alluded to the real state of affairs. I am informed by some hon. members that, on the train by which they travelled hither from the East, were six or seven families, some, if not all of them, from a county of the name of Cumberland, who were passing to the United States, and that, by the way, some of the children were called Tupper. That train, like almost every other train on the Intercolonial, under the new management, had the misfortune to break down two or three times, and the name of Tupper was

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very freely used in the carriages, not altogether in a complimentary sense, but one of the urchins bearing that illustrious designation was a little troublesome and annoying, and they had to take care of the child; another was making too much noise, and, at a moment when the cars had broken down, or run off the track, there was a momentary lull in the noise, when a cry was heard again, another voice broke forth: "Shut up you monkey and do not waken Tupper." My impression is that Tupper wants to be wakened very much, and if those emigrants from Canada had succeeded in accomplishing that task, it would have been better than congratulating ourselves upon an alleged state of facts that does not exist. We are told that we are to have the bankruptcy and currency laws re-considered, and the hon. gentleman from Halifax (Mr. Richey) tells us, also, doubtless, on special information, that there is to be an increased issue of currency. Whether hon. gentlemen opposite have decided to adopt the bantling of the hon. member for South Norfolk (Mr. Wallace) or not we do not know, but the matronly appearance of that hon. gentleman seems to indicate the employment he was engaged in during the recess. It is true his infant has a rather disreputable appearance; it is, as the hon. gentleman at the head of the Government describes himself—"rather a rum un to look at;" whether it will also be like him—"a good un to go," I do not know. But I can congratulate the hon. member for South Norfolk that he looks and perhaps feels as well as could be expected, and I hope that he will succeed in impressing his views, not upon the Government or this House, not upon the country, but upon the smallest possible number of people; because we only want such a measure to complete the ruin of the country, from the point of decline to which the hon. gentlemen opposite have brought it. We are told we are to have a revision of the Dominion Lands Act, but not in what way. There was no congratulation upon the condition of the land laws or their administration in the North-West. It was only a very foolish remark uttered by the hon. gentleman from Halifax, when he spoke of the care taken in having proper persons to administer the laws in the North-West. We observed during the recess exceedingly improper

persons chosen to administer affairs in that quarter. We had extraordinary accusations against some of the agents appointed by the Administration. The hon. gentleman at the head of the Government had one Gow appointed, who was accused of almost every crime against society. True, this appointment was afterwards suspended; but what became of the man himself? Whether he was suspended, as he deserved, or not, we do not know. The settlement of the North-West was seriously injured by the administration of the land laws by Ministers, and, although modifications were afterwards made, we were informed on excellent authority that, in the meantime, they had the effect of turning back a very large number to the United States. In one place in Dakota, no fewer than 856 Canadians had gone with the expressed intention of becoming citizens of the Republic, though they originally intended settling in Manitoba. It is gratifying to know that a very large proportion of the press supporting Ministers were manly enough to condemn the course pursued by the Government in reference to the settlement of the North-West. My own conviction has always been that it is impossible for any Government to make much money by the sale of lands; that it is infinitely better to afford ample opportunity to settlers to obtain free homesteads of suitable size where they can form comfortable homes, and trust to the increase of wealth and business by the increase of settlement rather than expect to make money by the selling of lands; and on that principle the Government of the hon. member for West Durham (Mr. Blake) in Ontario, of which I was a member, acted in throwing off between \$100,000 and \$200,000 of arrears on lands sold to actual settlers in that Province. With relation to Indian claims and the administration of Indian affairs in the North-West, I believe it has been most injurious to the *morale* of the Indians as well as to the position of the Government. Anything that weakens the confidence of the Indian population in the Administration of the country has a most prejudicial effect upon their minds, and it is exceedingly difficult to remove any evil impression thus made. I have been informed that, when tenders were received in Winnipeg for supplies for the Indians,

they were sent here with a recommendation of the local officers—they were detained a month, which made it impossible to forward the supplies to the Indian camps in time for their gatherings, thus necessitating enormous expenditure by the Government and discontent among the Indians, and destroying the confidence of the Indians in our good faith. I am informed also on the best authority that the special instructors, with the stock they had in charge sent to the North-West by the Saskatchewan River, in the Hudson Bay Company's boats, had not merely a longer delay than if they had gone overland by the usual route, but that this plan incurred more expense than the entire worth of the animals sent, while the cost by Winnipeg would have been little or nothing. I am prepared to admit that any Government would have some difficulty in dealing with affairs in a very remote country, but no Government is justified in endeavouring to make political capital out of a matter of this kind. This is what was pointed out on the appointment of those instructors and the despatch of the supplies. I am prepared to sustain the Government in any policy desirable in order to the settlement of the Indians and their instruction in the arts of peace, especially that of agriculture, but I am not prepared to sanction such measures as those of last year, coupled as they were in the Ministerial papers with the most gross, unfounded slanders upon the hon. gentleman formerly Minister of the Interior in the late Administration. With respect to the Intercolonial Railway, I am not in a position to discuss the figures and special information of the hon. member for Halifax, but I shall be able at the proper time to show his statements are altogether incorrect. It can only be shown to be managed more economically, when we have a precise statement of the condition of the rolling stock, the number of engines actively employed, the number built since the present Minister assumed office, the present condition of those locomotives, the number of cars of all kinds for freight, with their condition. I am informed that a very large proportion of the rolling stock is at this moment in a most deplorable state, and there is no doubt that, during this very week in which we are meeting there

have been a number of accidents to carriages conveying passengers, as well as engines and freight cars which have broken down upon the road. My conviction is that, in order to present an appearance of economy, the stock has been deliberately allowed to run down, and that the road-bed is not in the condition in which hon. gentlemen opposite found it. My duty, Sir, as the late Minister of Public Works, led me to enquire very carefully into railroad management, and I was satisfied, as every railroad manager must be, that the first duty of a railroad superintendent is to get his road-bed in thorough condition, and then his rolling stock in thorough condition. Everything about the Intercolonial Railway was in such a condition. At the time I left office, there was no better equipped road on the continent, no better road in any respect, and I venture to say no better managed road; but as I said last Session, if the hon. gentlemen could effect any economy in the way of reducing salaries and at the same time maintain its efficiency, I should be delighted. I should be delighted now. These remarks have been forced upon me by the very extraordinary course I complained of a moment ago in submitting cooked and partial papers to one or two individuals in this House to which other members are denied access. Now, Sir, about the state of trade. The Speech from the Throne informs us "that the effect of the Tariff of last Session in the development of the varied industries of the country has on the whole been very satisfactory." Well, in the first place, I have to complain that such a paragraph should be here at all. It has been usual to have the Speech from the Throne written in an entirely non-committal manner so that no member of the House, no matter how small the minority he represents, should be committed by any statements in the Speech. We are asked, however, to commit ourselves to that statement, and I have to complain of this statement that it is not true, and it is impossible for us to allow ourselves to be committed to a statement which we believe to be wholly inaccurate. I believe, Sir, that, but for the bountiful harvest that Canada had during the last season, and but for the deplorable accident of a serious deficiency in the harvest in Great Britain and Ireland,

but for those accidental circumstances, the state of Canada this winter would be the most deplorable that was ever known. There would have been no precedent for the distress which would have existed. Why, Sir, even as it is, in this city, what is the state of affairs? Almost every second house and shop is empty, and "To Let" is found everywhere. It is admitted by Government papers that there is an unusual amount of distress in the city. I know it is so in other cities, and we are told to go to the soup-kitchen, to rejoice in the fact that a Protectionist Government is in power. My hon. friend the Minister of Finance will attend meetings of manufacturers and their workmen at comfortable places or of temperance gatherings and weep pathetically, as Job Trotter alone could weep, for the miseries that existed before he came into office, and afterwards rejoice over his success in imparting renewed confidence and in procuring more employment. Now, Sir, I say there has not been more employment procured. I say that at this moment there is a much larger degree of distress than there was at the time the late Administration went out of office. I say that the state of trade over the country is infinitely worse than it was at that time. We have the extraordinary fact also that, while in 1878 the failures in Canada showed as the amount of liabilities \$23,908,000, in the year just passed, under hon. gentlemen opposite, the failures have reached \$29,347,000. Now these failures represent manufacturers as well as traders; they represent all classes that come under the Insolvency Laws. I know, as a fact, that at least half the manufacturers in the country have been seriously injured by the policy of hon. gentlemen opposite. We are called upon to rejoice that the trade of the country has, on the whole, been satisfactory, although it is known that the hon. gentlemen imposed a taxation which should have yielded for the State some \$7,000,000 for the year; and he has now to confess that he has actually received nothing from the new duties except what is represented by the burdens upon the necessaries of life, breadstuffs and coal. We are promised, I understand,—at least the hon. member for Cape Breton (Mr. McLeod) announced during his election campaign, that he had the authority of

the Minister of Railways for stating—that the coal duties would be reconsidered with a view to their increase; and we are told to-day by the hon. member who moved the Address so well, that the coal question should and must receive consideration, and he is willing to have the price of coal increased to his own city of Halifax, as well as to us poor people in Ontario, who must pay the duty upon every ton of coal we consume. I say, Sir, that the state of trade, instead of having improved, has very much retrograded. I blame the hon. the Minister of Finance for this, because he obtained his position in St. John by representing that there was to be no increase, but merely a readjustment of the Customs duties. I congratulate the hon. gentleman that he found so many as forty-six persons to give him a dinner under these circumstances. It must have been very pleasing to him. The hon. gentleman complained in his speech there that I had spoken of him as the lying spirit sent forth to delude the people. I referred to a well-known incident in ancient sacred history. There is just this difficulty in the simile, however, that I can nowhere find the representative of the angel that sent him forth, angelic qualities being scarce in that quarter. In another address which the hon. gentleman made in his own Province, he pointed out that what was really to be looked to in New Brunswick was the fact that it was becoming, or would become, a large manufacturing centre for the West. Manitoba was to be filled up immediately; the waste places in the Province of Ontario were also to be filled up by an emigration induced by the liberal policy of the present Administration. New Brunswick was to manufacture all the goods that this vast population would require. I venture to tell the hon. gentleman that New Brunswick has no peculiar facilities that I know of, for manufacturing purposes, beyond other Provinces, and that it is impossible for a large class of manufacturers to exist at all, except where there are large cities and a large population from which to draw the class of workers that are required. This has led to the failure of several manufacturing industries in various parts of Ontario. It was found impossible for one manufacturer to live in the town of Windsor, because he

was only able to procure the class of labour he required from the city of Detroit; and so it would be elsewhere. I have always believed that the coal and iron of Nova Scotia would come into active operation as a large factor in the trade of the country at no distant day. There these are elements of manufacturing wealth, but there are no of such elements in the hon. gentleman's Province. When the hon. gentleman led the people to believe, as I presume he did, that New Brunswick would furnish this amount of manufactures to the west, he was merely indulging in a figure of speech, by which he, for the moment, got over a very unpleasant situation. The hon. gentleman showed a great deal of moral courage, for which I give him credit, in going to his Province at all after the disasters he had brought to that Province, in common with the rest of the Dominion. I admit that the measure of the hon. gentleman opposite of last Session has increased the wealth of certain individuals. I have always maintained, I maintain now—and I believe every political economist who thinks at all and speaks the truth must say the same thing—that no Government can create wealth, though any Government can distribute wealth justly or unjustly. The hon. gentleman has succeeded in re-distributing wealth by his legislation: he has succeeded in putting a million dollars into the hands of sugar monopolists at the expense of the whole country. He has succeeded in building up a few vast monopolies by his enormous duties which are now imposing enormous taxation on all the rest of the country. He has, in the matter of India rubber manufactures, for instance, and in some other cases, compelled the people of the country to pay largely increased prices for, I am sorry to say, a very inferior article. In some manufactures which he has stimulated, he has by the measure we so strongly deprecated last year, succeeded in forcing the people to take what was unsuitable at whatever prices the manufacturers thereof chose to impose. I maintain that any policy which, for the sake of employing a few hundred men, or a little steam power, any policy which deprives the people of the country of the privilege of buying cheaply does a great injury to the country. I am glad that a distinguished Canadian authority of the

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hon. gentleman's own party took that ground years ago. Sir Alexander Galt, in a lecture in Toronto, pointed out that it would be utterly impossible for any Government or Legislature to build up a system of manufactures in this country by the imposition of high duties. What we really want is an extended market. What the late Administration did was to encourage manufactures by developing markets in foreign countries. Under the impulse given by the exhibition we were able to make in Sydney, in the first six months after that exhibition was held a large amount of goods were sent to the South Seas. I venture to say that, under the policy of hon. gentlemen opposite which makes all these articles dearer, our people will find that that market cannot be kept, and that the so-called protection of our industries has resulted disastrously to the manufacturers themselves. Hon. gentlemen, over and over again, both in the House and out of it, have declared that the policy of the Government was retaliation upon the United States. Within the last few days the chief organ of the Government, alarmed at the menaces thrown out in United States political circles, has endeavoured to prove that that was not the case, that the discrimination was rather the other way. I need not remark upon the value of any Canadian demonstration representing 4,000,000 of people threatening a people of 48,000,000. Why, Sir, that people are strong and powerful enough, have sufficient variety of climate and other advantages, to set your idle threats at defiance. Our policy should be to cultivate peaceable relations and conditions of trade which would be just to both countries; but for a small country to threaten a big one is an act of supreme folly. That folly ministers have been guilty of. I am not at all surprised, but rather gratified, to find that the chief organ of the Government is endeavouring to show that there was no retaliation against the United States in the tariff. I trust that whatever is done with our tariff during the present Session there will be no boast by responsible Ministers—whose utterances must be taken in foreign countries as official—that there will be no utterances which would show that they were determined to destroy the most profitable trade which Canada has had in all her connections. There is one

point in reference to our trade that I must advert to for a moment. We are given to understand in the Speech, what we have understood months ago in the newspapers, that the Administration have determined on appointing a General Agent in London. I did not credit that myself at first, because the hon. gentleman at the head of the Government attacked the late Administration because they appointed a General Agent. He declared it was wholly unnecessary, and objected to his continuance for even one year; and I could not imagine that he had so soon changed his ground. The late Administration made arrangements whereby financial matters should be attended to by Sir John Rose, and the attention of the Chief Emigration Agent confined wholly to his own department. I am not aware that this arrangement has worked ill, or that Sir John Rose has failed to attend to the duties entrusted to him, nor has the mover or seconder of the Address given the reasons for this appointment. The hon. gentleman who is to receive the appointment—Sir Alexander Galt—is a gentleman of the highest standing in the country,—a gentleman for whom I have personally the greatest respect, although I am not able to agree with him politically, I am glad to find that the hon. gentleman opposite and that gentleman have become reconciled so thoroughly. It must have been much more pleasant for the hon. gentleman at the head of the Government to be toasted by Sir Alexander Galt at the late banquet in Ottawa as his “distinguished friend and leader,” than to be designated here, as he was, as the Pecksniff of the House. I have no doubt that the hon. gentleman will administer his duties in such a manner as to reflect credit on Canada. The only thing to be regretted is that his appointment and their reconciliation took place at the same time. The hon. gentleman who spoke last congratulated the House in the course of his remarks, on the result of the Argenteuil election; and no doubt he and his friends have reason to rejoice over this small victory; and I have personally, as well as in a party sense, to regret the absence of the late member for Argenteuil, who so long and so worthily, represented that county. At the same time we, in other respects, have reason to congratulate ourselves on this side of the House. The hon. gentle-

man on the other side committed an indiscretion from his own stand point in going to Ontario last summer, immediately after the prorogation of Parliament, and causing the local elections in Ontario to be conducted on protectionist principles, as the Dominion elections in 1878 were conducted. Many of his own friends were unwilling; but he succeeded in carrying out this policy. The hon. the Minister of Railways and the Minister of Finance and the hon. the Minister of Justice, I think,—the two former gentlemen certainly,—were good enough to go to the several constituencies in Ontario, and lecture the people as to their duty to maintain protective views at the elections and the gauntlet thus thrown down was taken up by the Reformers. I was surprised to find the hon. member for Hamilton here when I came into the House to-day. The hon. member for Hamilton (Mr. Robertson) is a man whose word is not to be doubted, and, if the newspaper reporters are right, he stated that if Mr. Mowat's candidates were elected it would be impossible for him to take his seat in the House of Commons.

MR. ROBERTSON (Hamilton): I never said so.

MR. MACKENZIE: It was so reported.

MR. ROBERTSON: A great many things are reported.

MR. MACKENZIE: Perhaps in the course of the Session we will come to know who the bad reporters are. We will find out what he did say. It was the general report that such was the ground taken by the member for Hamilton; and the Mowat candidate was sustained in that city. Mr. Mowat's Government was sustained over the whole Province by a majority of two to one. A decided verdict was then rendered against the policy of the present Administration by their own shewing in matters of trade. They selected the ground and that was the result. Hon. gentlemen cannot avoid accepting the policy of their own leader, Why not follow him loyally in this as in all other matters? He may hope before the end of his Parliamentary term that he will be able to reverse this verdict. But I am greatly deceived, if he does. I do not propose to take up the time of the House much longer upon the topics of the Speech,

and the measures to be submitted to the House. These measures, and particularly that relating to matters of banking, will receive from this side of the House the consideration to which they are entitled, apart from any political bias whatever; for these banking and currency matters deeply affect all our great commercial interests, indeed all interests. With regard to the Pacific Railway policy I fear that it will be impossible for us to coincide in the views expressed in the Speech and those of the hon. member for Halifax in regard to the expenditure incurred in that work. The first Pacific Railway Act passed by hon. gentlemen opposite, and subsequent enactments, declared the intention of the country to proceed, as fast as the resources of the country will permit, without increase of the existing rate of taxation, with the construction of the work; and all proposals, promises and negotiations were subject to that limitation. A resolution to that effect was proposed in the House first by the late Sir Geo. Cartier. It was successively enacted by the two Administrations which followed, and stands therefore as a parliamentary declaration of policy. I cannot help looking, with great alarm, on the prospective expenditure as being far beyond our resources. I do not object to the completing of the operations, so far as to enable emigrants from Lake Superior to proceed to the free prairies. This might be done with comparatively small expense. It is well known that the late Administration aimed at two things: first, to build sections of the railroad where no other means of conveyance could be had, and, in the meantime, to utilise the water between such points till the position of the country would permit us to proceed further, but building every section on the right line for an all rail route. Hon. gentlemen opposite affect to believe that the sale of lands would defray all expenses of completing the railway. I differ wholly from that opinion, and I enter a *caveat* against the supposition that we are to commit ourselves to the expenditure which is foreshadowed in the Speech from the Throne and in the remarks of hon. members opposite in reference to it. We will be prepared, on our part, to consider everything that may be submitted, in a fair, impartial, and just spirit, and in such a spirit as may best conduce to the general

benefit of the country; but we will not be deterred, though small in numbers, from asserting what course should be pursued, and what course the country demands to be pursued in reference to this and other public works involving an expenditure on the country. Before sitting down I will say a few words about the Ministerial changes. The hon. gentleman at the head of the Government will doubtless give us information when the Address is passed; but I think it is a matter of great interest to us to know how Senator McPherson became a member of the Administration and the presiding officer of the other House—an office to which he will no doubt impart weight and dignity. He published two remarkable pamphlets, containing a great deal that was not true—in fact, very little that was true; but there are certain very remarkable statements in one of those pamphlets about another matter. We find that he condemned utterly and wholly any expenditure on the Pacific Railway; and now he becomes a member of the Administration which boasts of this expenditure, both that which has been already incurred and that which is to be incurred in prospective years. I hope he—or rather not he, but the hon. gentleman at the head of the Government—will be able to give us some satisfactory reason for such a change of policy on the part of the hon. Senator. He wrote the pamphlets, he told the public, not as a politician at all; though he used very strong language for one not wholly committed to any political party. For a gentleman in that position his language was exceedingly bitter and vigorous, and would induce any stranger to class him as an unscrupulous partisan. I have no doubt he will be able—or the hon. gentleman at the head of the Government will be able—to tell us whether Mr. McPherson has understood that there was to be an expenditure on the Pacific Railway, or whether he is now willing to agree to the expenditure so that he may have a place in the Government. The hon. gentleman opposite is to be congratulated on killing a formidable foe in this professed friend. He has performed the operation very often; but we are very glad to have the presence of a gentleman in the Cabinet who goes even farther

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than we want as to economy in regard to the Pacific Railway. Perhaps there is some mistake in the Speech from the Throne in reference to this subject—either the Speech was prepared before the hon. Senator was sworn in, or he misunderstands it and reads it in the opposite direction from that in which the hon. member for Halifax reads it. It seems, however, somewhat singular that a gentleman so free from party political bias could place himself in this false position in regard to expenditure upon the Pacific Railway. I will not refer to the matter any further. Other matters will develop themselves in the course of the Session, and matters will come up to bring this question fully before the House. We shall be ready to take our share of the public business, and criticise fairly and impartially the measures of the Government as they are presented, while maintaining our own distinctive views.

SIR JOHN A. MACDONALD: I must congratulate not only the House generally but the Opposition in particular, on the cheerful, nay, facetious spirit in which the hon. the Leader of the Opposition has opened the discussions of the Session. He is resolved to be merry under all circumstances, although according to the hon. gentleman the country is ruined, although had it not been for an interposition of special Providence, at which he is inclined to sneer, the Dominion would have been utterly ruined, still the depression has not affected his spirits. He has resolved, like a character in one of the novels to which he has alluded, to be merry under all circumstances. It turns out that the hon. gentleman has been reading novels. I did not at first understand why he was so very hilarious, I thought surely he must have given up his Scottish sternness of character and adopted that of the light-hearted hero of the story already so aptly cited. The hon. gentleman complained of the paucity of subjects in the Speech from the Throne, but explained that he would not have complained except for the fact that, when we were in Opposition, we insisted that every measure should be mentioned in the Speech. But that was a Reform Administration and we wanted to see if they had found anything to reform. We, being old Conservatives, cannot be expected to come down with an avalanche

of reforms as the hon. gentleman did, and with which he deluged the country for five years; but it will be found before the Session closes that the measures alluded to in the Speech will fully occupy the time of hon. members, and that, what with the discussions on the banking system, the currency in connection with that system, Civil Service reform, the Government Railway policy, and the Tariff amendments, the usual time of the Session will be exhausted. The hon. the Leader of the Opposition has said there is not much to object to in the Speech, except that some of the statements are untrue. There are differences of opinion on that point. We have endeavoured, as our custom is, to lay before Parliament, through the Address, some idea of the exact state of the country, and we believe—indeed we know, and the country knows that, instead of the state of depression in which the hon. gentleman left the country, there has already commenced within the short period of one year, a real improvement, a real development, and I believe that under that Providence at which the hon. gentleman rather sneers, this improvement will continue from year to year so long as the present policy is developed, until the country is restored to the state of prosperity which it occupied before 1873. The hon. gentleman has spoken about the indecency of some remarks by my hon. friend who moved this Address.

MR. MACKENZIE: Not the indecency of the remarks, but the indecency of giving that gentleman documents which are not furnished to myself or to other members.

SIR JOHN A. MACDONALD: The hon. gentleman knows perfectly well, if he looks at the precedents in England, that the mover and seconder of the Address always are afforded the means, and it is only just to have it, to justify the various sentiments and propositions contained in the Speech from the Throne. If the hon. gentleman will read any one of the speeches of the mover and seconder in England, he will find both these gentlemen are instructed by the Government of the day so as to be able to speak with some reason as to the various subjects contained in the Address. The hon. member for Halifax (Mr. Richey) merely made these statements in corroboration, and in



support of the paragraphs in the Address to which he alluded, and the hon. gentleman will find, when the papers are laid before the House, that those statements will be in every way corroborated and sustained. The hon. gentleman has spoken very strongly as to the extravagant policy of the Government with respect to the Pacific Railway, and he has quoted a resolution moved by the late Sir George E. Cartier, that the construction of that railway should be proceeded with only so far as the resources of the country would allow. That was the policy of the former Government of which I was a member. That was the policy which we carried out so long as we were in power, and that policy was only altered by the Government of the hon. gentleman himself, when in the first place, they decided to construct the whole work, specially by the Government, and pledged the Government, under the arrangements made by Lord Carnarvon, to proceed with the road and to finish a great portion of it within a certain number of years. That was the policy of the hon. gentleman's Government. Without any reference to our resources, without any reference to consequent taxation, without any reference to the burdens that would be cast upon the people by that arrangement, he pledged the Government, as a Government, to complete that road, to spend two millions a year, I think it was, in British Columbia, and to finish the whole road from Lake Superior by 1890—in nineteen years—and yet the hon. gentleman now says that we have adopted an extravagant policy and we are pushing the road too vigorously. Why, we are finishing the road commenced rather ineffectually by the hon. gentleman himself from Lake Superior to Red River. Surely he does not object to that. We have also given out contracts to complete 127 miles of road in British Columbia, based on the hon. gentleman's own advertisement for contracts. Was the hon. gentleman sincere when he advertised and called for tenders to build 127 miles of railroad on the Frazer River, or was he not? Was it merely to affect the elections in British Columbia? We must suppose that the hon. gentleman intended to build this 127 miles at the western extremity of the Pacific road. We are carrying out his

own contracts between Lake Superior and Red River. I do not think the hon. gentleman will object—at least the *Globe*, his organ, or the organ of the Opposition, does not object—to building cheap railways across the prairies, to meet the rapid rush of emigrants into our North-West. That is the policy of the Government, and I do not see that we are in any way open to the charge of extravagance or extra vigour, made by the hon. gentleman in his speech just now. The hon. gentleman has objected to the management of the North-West and the management of the Indians by the present Administration. Sir, the policy of the late Government we have found to be very imperfect, perhaps they are not very much to blame for that, because this country is an enormous country, and new questions are arising every moment. A great proportion of the arrangements to be made were experimental. I admit that the hon. member for Bothwell (Mr. Mills) had a vast and unexplored region placed under his charge, and a new subject to enter upon when he took up the administration of affairs there. But I will say distinctly, that, whatever changes we have made in that country have been improvements which experience has shown should be made, upon the system of administration that was found when we assumed the Government. But the hon. gentleman says that we sent improper agents up there. I am not aware that we sent improper agents. There was one man named Gow sent up there who was appointed by mistake, and the moment the mistake was discovered it was rectified, and the person was discharged. With reference to every other man that has been appointed since the present Government came into power, I am not aware that any charge against their efficiency or their propriety can be made. The hon. gentleman says that he does not know what has become of Gow now. I do not know where he is, nor in what part of the North-West he may be—perhaps living under the same roof as Mr. Nixon or Dr. Hagarty, or some other gentleman appointed by the hon. gentleman opposite, but at all events, the moment the error was found out it was rectified, and the person was removed.

MR. MILLS: Is Dr. Hagarty still in the service?

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SIR JOHN A. MACDONALD : Yes, he is still in the service. The hon. member for Lambton (Mr. Mackenzie) has denied that there has been a large emigration into that country. He has said that Canada has been depleted by an emigration to the United States, and has pooh-pooed the idea, that there has been a considerable influx from the United States into that country. I can assure the hon. gentleman that he is mistaken, that there is a real and substantial flow of population towards the North from the United States. I can assure the hon. gentleman that there has also been a large flow of emigrants from England, Ireland, and Scotland. The hon. gentleman says it is not a matter of congratulation at all, that there is an emigration from the older Provinces of the Dominion. I do not agree with him. Every step taken by a farmer from Ontario or from Quebec, or any of the other Provinces which is at all likely to improve his condition is a matter of congratulation. Those men who have gone from Ontario, principally to the North-West, are the best settlers that can be found for a new country. They are accustomed to the system of farming in Ontario. They do not come from the old country, quite inexperienced and unused to our mode of agriculture. They go there ready at once to prosper, bringing all their skill and all their experience with them that they have learned in Ontario. And their places can be well filled. Their improved farms and buildings can be sold, and will be sold, and will be eagerly sought for by emigrants coming from the old country, who are not so capable of encountering the hardships of a prairie life as the people from Ontario, and who find in a cleared and improved farm a state of things very nearly like that of agriculture in the country which they left. I think that the whole movement of population into that country, from whatever source it comes, is a matter upon which to congratulate ourselves. The hon. gentleman charges us with having passed land laws which have been the means of stopping the flow of emigrants into that country. When the question comes up for discussion in this House, I shall be only too glad to enter fully into that subject, and the hon. gentleman will

find that, whether it be with reference to the original regulations or to any amendments of the regulations, they were prepared and acted upon with every desire to improve the position of the country and at the same time to generate the fund which would enable the Government of Canada to build the Pacific Railway and to carry out its engagements, without laying undue burdens upon the shoulders of the people. The hon. gentleman says he has always opposed the idea of building the railway or settling the country by means of putting a price upon the land. But, if I remember aright, in days of old, a gentleman not now in this House, Mr. Young, moved that the railway should be built out of the proceeds of the sales of land in that country, and the hon. member for Lambton supported and voted for that motion. And, if I am not very much mistaken, the hon. gentleman, when he laid out the line of the railway running from Selkirk by the northern route specially reserved tracts of land on both sides of the line and withdrew them from settlement for the purpose of furnishing the means to build the railway. The hon. gentleman has declared that the country is still suffering and is in a state of distress. He quotes the number of failures that occurred last year as compared with previous years. The action of this House and the general opinion in the country was pronounced against the continuance of the Insolvency Law, so that every man who was aware that he could not pay twenty shillings in the pound, every man who was aware that during the five or six years of depression that have unfortunately existed he was unable to meet his engagements in full, has taken advantage of the law before it was repealed in order to make a new start. If that had not been the conviction in the country, I think that the large proportion of bankruptcies would not have existed. The hon. gentleman rather objects to the appointment of Sir Alexander Galt as our representative in England. Well, I think the objection is not well founded. This country, as the Speech says, is rapidly developing. We know that negotiations are about to go on between Great Britain and various European countries, especially France and Spain, and perhaps Austria, and it is of great importance that we should have someone

on the spot to watch these negotiations. The hon. gentleman knows well from the experience he has had in the Government that it is impossible by correspondence to secure that watchfulness which is necessary to guard our interests in matters of this kind.

MR. MACKENZIE: Is he to have plenary power?

SIR JOHN A. MACDONALD: No, we won't provide that his decision is to be final. The hon. gentleman says that we objected very much to the appointment of Mr. Jenkins. We objected for several reasons. In the first place as Agent-General he was merely to look after the emigration interest, as I understood at that time; certainly no other powers were specified here in the House, or in any resolution or step taken by the Government opposite. He was merely what Mr. Annand is now, a general agent. We objected to the increase of salary; and we objected especially to the selection of Mr. Jenkins,—a most estimable person in every way, but who was the last who ought to have been chosen for the post,—because he had placed himself in personal hostility to the Government of the day in England, and the agent of the Canadian Government should be a greater *persona*, a person acceptable to the Government of the day with whom he has every-day transactions. The hon. gentleman is in a very facetious mood notwithstanding the depression that exists in the country; and one reason, perhaps, why he is so happy is the success of his friends at the local elections in Ontario. He says that the Local Government was sustained by two to one. Well, it cannot be in consequence of any reaction against the National Policy that Mr. Mowat obtained his majority, because we have had a great number of elections for this House; we have had eight or nine or more for this House. The Government have not lost one seat that they held before, and they have won three that they had not at the time of the General Election.

MR. MACKENZIE: Where are they—in Ontario?

SIR JOHN A. MACDONALD: The hon. gentleman evidently thought of no other Province, he always considers that the Dominion and Ontario are the same thing. It is quite clear that there is no re-action on the National Policy. We

have had some elections in Ontario, and we have held our own there—we have not lost one, and we have gained three in the Dominion. We know that wherever there is a commercial depression it takes a political direction, and the hon. gentleman found, and complained when he was in the Government, that the failure of the crops and everything else was put upon the Government. But every Government must suffer from that. Wherever there is any discontent it takes a political direction and the Government of the day suffers. If there was a feeling that this country was suffering from the continuance of the National Policy, if there was a re-action against the National Policy, surely in some one of these constituencies there would have been an assertion of that fact, an evidence of the re-action by the defeat of the supporter of the National Policy. What, then, are we to consider was the cause of Mr. Mowat's success? The cause is this: the people of Ontario knew that the National Policy was safe in our hands and that they might safely act with regard to local affairs as they pleased. It is idle, it is folly, to suppose that there is a re-action in the country against the National Policy. I think every candid man will admit that the country is rising, slowly perhaps, but certainly, from the Slough of Despond into which it has sunk for the last five years. At the end of another year we will see that the policy which has now proved so efficient in its commencement will have developed greater strength and vigour.

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

### After Recess.

MR. BUNSTER: I do not agree with some hon. gentlemen who have said the Address before us goes too far in certain respects, as, I think it does not go far enough. I am grieved that the Government have not devoted more consideration to the Pacific Province. The country agreed to build a railroad from Nanaimo to Esquimault, and, at the beginning, the British Columbia Government reserved twenty miles of land on each side of the route. They complied with their obligation, much to the detriment of the Vancouver Island population, as settlement was retarded in consequence. I am

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really astonished, therefore, that the Canadian Government has not considered that Island road, and given the contract for it the same as for the mainland road. It is more desirable that the Island road should be built, in consequence of Vancouver Island having the larger population, and more capital and trade to support a road at present. We have on the Island sufficient trade and commerce to keep a road running and paying from the start in exporting coal and carrying passengers and farm produce. I for one feel very much hurt that the Island road has been ignored in the Address, and I hope that this Government will not neglect it, but that, before Parliament meets again, they will have put it under contract. The late Dominion Government accepted the Carnarvon terms, and promised to expend two millions a year on the Island Road from Nanaimo to Esquimalt; but so far there has not been a dollar spent on it. This is a strange state of things. Where they found it would be a magnificent route, the surveyors were instructed to abandon it. There is no finer country in the world than the Island for a railroad. Hence, its neglect is a great injustice to this portion of the Province. I will now read the following resolutions of the British Columbia Board of Trade on the subject of the Esquimalt-Nanaimo Railway:—

"1. *Whereas*, by the terms of the Confederation between the Dominion of Canada and British Columbia, ratified by Her Majesty on the 16th May, 1871, the Dominion of Canada agreed to commence the construction of a railway from the Pacific towards the Rocky Mountains within two years from the date of the Union,

"2. *And Whereas*, in furtherance of the said agreement the Dominion Government on the 7th day of June, 1873, fixed the terminus of the Canadian Pacific Railway at Esquimalt, and applied for and obtained from the British Columbian Government, the reservation of a 20-mile belt of land along the eastern coast of Vancouver Island for railway purposes.

"3. *And Whereas*, the Dominion Government have claimed that a commencement of railway construction was made at Esquimalt within the term of two years agreed upon in the terms of Union.

"4. *And Whereas*, in the following year, 8th May, 1874, the Dominion Government, through its agent, Mr. Edgar, proposed to the Government of British Columbia 'to proceed with the construction from Esquimalt to Nanaimo immediately,' and 'to push that portion of the Railway on to completion with the utmost

vigour and in the shortest practicable time,' coupled, however, with conditions relating to the mainland portion of the railway, which were not entertained by the Government of British Columbia, as they conflicted with the terms of Union, and postponed indefinitely the consolidation of British North America, which was the primary object of Confederation,

"5. *And Whereas*, in consequence, serious differences arose between the Dominion of Canada and British Columbia, which were referred to Her Majesty's Secretary of State for the Colonies, the Earl of Carnarvon,

"6. *And Whereas*, after protracted negotiations, the conditions contained in the despatch of Lord Carnarvon of the 17th November, 1874, to the Governor-General of Canada, were accepted as a settlement by the Governments of the Dominion and of British Columbia, the first condition being 'that the section of the railway from Esquimalt to Nanaimo shall be commenced as soon as possible, and completed with all practicable dispatch,'

"7. *And Whereas*, the Privy Council of the Dominion of Canada, on the 25th of March, 1875, decided that 'prior to the commencement of any work of construction on the proposed railway from Esquimalt to Nanaimo, the Province of British Columbia should convey by legislation to the Dominion Government a 20-mile belt of land along the line of railway between Esquimalt and Nanaimo,' which demand upon British Columbia was immediately complied with, by the Legislative Assembly of the Province passing an Act, 22nd April, 1875, No. 13, entitled: 'An Act to authorize the grant of certain public lands to the Government of the Dominion of Canada for railway purposes,'

"8. *And Whereas*, on the 5th March, 1875, the Dominion House of Commons in Committee of Supply appropriated \$6,250,000 for the Pacific Railway, part of which appropriation was expended in the purchase of steel rails for the railway between Esquimalt and Nanaimo, and the rails were accordingly purchased and conveyed to Esquimalt and Nanaimo ready for use,

"9. *And Whereas*, in the year 1874-5, a construction survey was made of the line between Esquimalt and Nanaimo,

"10. *And Whereas*, no further action having been taken towards the construction of the said line, a feeling of intense and widespread dissatisfaction with the Dominion of Canada was created in the Province which resulted in 1878 in the election of a Provincial Legislature—the majority of the members of which were pledged to insist upon the Dominion carrying out the 'Carnarvon Settlement' or separation.

"11. *And Whereas*, official assurances were given the Legislature of British Columbia when last in session, that 'before the close of that year actual railway construction would be commenced in this Province,' and the British Columbia Legislature accepting these assurances in full belief that the Carnarvon Settlement would be carried out, adjourned without taking any action hostile to the Dominion interests on the Pacific,

"12. *And Whereas*, since the adjournment, the Dominion Government has confirmed the

selection of Esquimalt as the terminus of the Canadian Pacific Railway—definitely located the line upon the mainland *via* Fraser River, and called for tenders for a portion of the railway in the interior of the Province, but so far as known has not taken any steps to proceed with the construction of the railway between Esquimalt and Nanaimo, to which for so many years and in so many ways it stands pledged and committed,

“13. *And Whereas*, good faith and a continuance of satisfactory relations with the Province require a speedy, active commencement of the railway between Esquimalt and Nanaimo, the construction of which is of vital importance to the development of the resources of the Vancouver Island portion of British Columbia, which contains more than half the population of the Province, and contributes a very large proportion of the revenue paid by said Province to the Dominion,

“*Be it therefore resolved*, that Sir John A. Macdonald, M.P., Hon. Amor DeCosmos, M.P., Hon. A. Bunster, M.P., and Senator Macdonald, as members in the Dominion House of Commons and Senate of Canada for Victoria City and Vancouver Island, be and are hereby instructed to urge and impress upon the Dominion Government the necessity of making such provision this Session of Parliament as will secure, *this summer*, the prosecution of this most important work.”

Coming to another very important question as regards British Columbia, I hold in my hand resolutions from the Workmen's Association of that Province, praying the Government for the insertion of a clause in the Railway contract prohibiting the employment of Chinese labour in the construction of the Canadian Pacific Railway. This exclusion is desirable for various reasons. The Chinese, as a rule hoard their money and send it to China; hence its scarcity to some extent in the Pacific Province and Canada generally. We have no idea of the magnitude of the evil befalling and certain to befall us in consequence of the importation of these people. They will swarm the whole country along the line of the road as contractors will employ the cheapest labour. White labourers, English, Irish and Scotch, would settle along the road and add to the revenue and prosperity of the country. Chinese would contribute nothing, except rice were taxed more heavily. Last year, I asked the Government to impose on it ten cents per lb., and opium ten dollars per lb. with that object. The present tax is nothing, and we will have to struggle before very long to protect our own race against four hundred and eighty millions of Chinamen,

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who can send fifty millions to swarm us out, an operation already commencing, perhaps. Are we to protect a race that has no respect for our laws, religion or institutions, and does not contribute to our revenue, but robs us in various ways, while guilty of practices not to be described? I hope the Government will, before we meet again, watching over the interests of the Dominion, pass orders preventing the immigration of the Chinese. In California they nearly had a civil war on their account. The people of British Columbia have not been visited by any Minister lately, but would like to see one or two of these gentlemen out there in order that they may be able to see for themselves, and report the result of their observations to their colleagues. There has not been a visit to the Province from any responsible authority since the Pacific Province entered the Union, excepting in 1871, when the present Minister of Public Works (Mr. Langevin) paid his official visit, and much good, certainly, had resulted therefrom. We should like to see him again, and, with him, the senior member for Victoria (Sir John A. Macdonald). I would guarantee them a reception that would be worthy of the country and of its distinguished visitors. While on this subject, I desire to congratulate the Dominion on the honours recently conferred by Her Majesty on some of its leading statesmen. British Columbia is especially proud that the greatest honour ever conferred a colonial statesman has been accorded to her senior representative, the present Prime Minister, who, in August last, was made a member of Her Majesty's Imperial Privy Council. We also feel proud of the honours to the Minister of Railways, though I must say he has scarcely done us full justice in the matter of the railway, but we hope for a better state of things before very long. The member for Lambton (Mr. Mackenzie) said he was sorry money had been invested in the Pacific Province. Neither himself nor his colleagues ever visited it, though they sent out agents to buy a Province that was not in the market. We are not to be bought. We merely want our rights. I also desire to congratulate the Minister of Finance on being knighted—an honour he has fully merited by a long life of usefulness and honour. But while congratulating these gentlemen

on their newly acquired honours, I cannot but express surprise that the important services of another hon. gentleman, the Hon. Mr. Langevin—one of the Fathers of Confederation and a colonial statesman of well approved reputation—should have been passed over in the recommendation for Imperial honours. This could not but be an oversight which ought to be rectified at the earliest moment. I take especial interest in this matter as Mr. Langevin had been closely identified from the start with British Columbia interests, and has been extremely desirous of helping the Province in every way in his power. His report on British Columbia was a recognised authority on all subjects relating to the Province, and had been the means of furnishing important information to the outside world, he was deserving of K. C. M. G., perhaps more so than some of those who got it. I consider an injustice has been done that hon. gentleman; but as I said before, I hope the wrong will be made right before many weeks are over.

MR. DE COSMOS: Before this Address in Reply is adopted, I feel it to be my duty to call the attention of the House to one matter mentioned in the Speech from the Throne. I would not do so if I could reasonably avoid it; but I am naturally expected by my constituents to express their views, with the object of assisting the Government in arriving at such a conclusion as will meet their wishes. The point in this Address that most affects the people of British Columbia is that with respect to the Pacific Railway. I am glad that the Government has at last decided upon a route on the west coast; but the Speech from the Throne and the Reply carry a very singular sentence, as follows:

“We thank His Excellency for informing us that after an exploratory survey of the line from Port Simpson to the Pine River Pass and through the Peace River country, it has been decided to adopt the location of the line to Burrard Inlet.”

Now, one would conclude from that section of a sentence that, as a result of the explorations from Port Simpson and through the Pine River Pass, a decision had been arrived at by this Government to adopt the Burrard Inlet route; but a more careful examination of the sentence does not convey that idea. It would ap-

pear that the line to Burrard Inlet is one adopted without any or full information with respect to the explorations by the parties sent out last year. In other words, so far as I can find facts to support me in drawing a conclusion, delay in the commencement of the railway in British Columbia was the main point to be attained by sending out exploration parties, and that, consequently, the Government has delayed the commencement of the construction of the railway in British Columbia for a year or more. If the Government has, without any information from the exploring parties that would warrant them in making the decision in favor of the Burrard Inlet line, decided upon it, I naturally conclude that it can only be for the purpose of delay that the exploratory parties were sent out. I go further: I find that no reason has been given why this route has been adopted by the Government. It is something like what we read of in Scripture: “There shall be two in the field; the one shall be taken and the other left;” and, I may add, no reason given. There were two routes in the field or before the country, and one has been adopted and the other not, and no reason given for its adoption. I presume that, hereafter, when the question comes up specially, we may get some information as to the why and the wherefore of this selection. We have the route selected, but I am not aware that we have any guarantee, judging from the past, that any more work will be done upon it than the completion of the contract between Emory's Bar and Savona's Ferry. We are told further on in this Address that it will secure a connection by steam to the capital of British Columbia. I would much prefer, if I could state that the district of Kamloops, in the language of the Speech from the Throne, is a “fertile district;” that it is an extensive fertile district; but, so far as my knowledge and judgment goes, the words, “the fertile district of Kamloops” convey a false impression to the House and country. The total number of farmers and stock-raisers in the Kamloops electoral district, as evidenced by the voters' list, is only about 69; the total voters' list is only about 126. The contiguous districts may be included under the head of this district; but, if they are, it would make this district

extend to 100 odd miles in various directions. I believe the contractors will do their best to fulfil the conditions of the contract for building the road, and that the Government will urge them vigorously to secure its completion. But, representing the feeling of British Columbia in the section in which I live, I must state that there is a very strong opinion, indeed, that the Government has not acted wisely in giving foreigners the contract for the construction of the road. The feeling is that this action is hardly in accordance with the National Policy designed to protect our own people. Any profits made by them will pass out of the Dominion to the United States and China. It is also believed that those foreigners will derive further benefits from the road by influencing their employés to purchase their supplies from certain traders, and thus get a trade monopoly, and under the circumstances, the general trade of the country will not be benefited. I believe the wisest course would have been to have given the contracts to our own people, so that if any profit arose directly to the contractors, it would have remained in the country. The next point in connection with the selection of this section is that the river has been frozen over for eighty miles up thus preventing any approach to Emory's Bar. For one month and over no steamboat has left Westminster and reached Yale. I was frozen up sometime in the month of December, and the last newspapers I have received do not show that any steamer had reached Yale. The highest they could reach was about forty miles from Emory's Bar. Our people fully expected that the Government would do something towards the construction of that portion of the Canadian Pacific Railway between Esquimalt and Nanaimo. It was competent under the vote of the House for the Government to have put under contract sixty miles of that road, but it appears that the Government, for reasons which, I hope, they will be able satisfactorily to explain, did not place sufficient weight on the agreement made between British Columbia, Great Britain and Canada to induce them to do so. In 1872 I asked the present Minister of Public Works whether, if the Government selected the route by way of Burrard Inlet

and Fraser River, they would build the line between Esquimalt and Nanaimo and consider it as an integral part of the Canadian Pacific Railway. That hon. gentleman rose in his place and stated distinctly, on behalf of the Government as well as for himself, that it would be so considered and done. In 1873, the Government, led by Sir John A. Macdonald sent to our Province an Order-in-Council asking that we would reserve a twenty mile belt of land from Esquimalt to Seymour Narrows. That was done, and the reserve has been continued from that day to this. At the same time, Sir John A. Macdonald sent out an Order-in-Council declaring Esquimalt the terminus. A further Order came also to the Chief Engineer in charge, instructing him to break ground for the Pacific Railway. That was done at Esquimalt when I and some others were present. A change of Government took place, and, in the autumn of 1874, the hon. gentleman who now leads the Opposition agreed with Great Britain and British Columbia that a road should be constructed between Esquimalt and Nanaimo, and that, as soon as possible afterwards, \$2,000,000 a year should be expended on the construction of the road on the main-land. I believe the hon. gentleman was in earnest and honestly determined to build that section of the road. He sent rails there. He sent surveyors there, and passed a Bill through the House, and it was only thrown out through a coalition of Conservatives with some of the Liberal party in the Upper House.

MR. HOLTON: And some British Columbians.

MR. DECOSMOS: There may possibly have been one—at least only one that I am aware of—the Hon. Mr. Cornwall, and possibly not him. I am satisfied that the Hon. Mr. Macdonald was not one of those who voted for it, and I do not think the late Senator Carroll voted with the coalition. The leader of the Opposition not having control of that body, as the Conservative party has, he was to that extent excused for not pushing that work on. Now the leader of the Government was elected in Victoria. It had been stated broadcast that he had made pledges to the people of Victoria before he was elected that he would build the road, and that he would do this and that.

MR. DECOSMOS.

Allow me to state on the floor of this House that he gave no pledges whatever. He commanded the sympathies of the people who elected him. Believing that a man of his large experience and influence ought to be in the Parliament of Canada. I for one voted for and supported him. But, Sir, we all felt and expected that the right hon. gentleman and his colleagues would carry out that policy which they had initiated when in office before; but I do not find anything in the Speech which warrants me in expecting that their policy of 1873 will be carried out. I recollect that, in a speech made by the hon. gentleman, not long ago at a banquet, he said he was elected without any pledge, and that, with God's help, he would meet the expectations of his constituents. I sincerely hope that declaration may be fulfilled, and it is for that object, that I draw his attention and the attention of his Ministers to his former policy, and with a view to taking action during this present Session that I raise this question. Without a railway running through Vancouver Island the interests of the people of that Island would be better served if they had joined the United States. Without such a railway, their interests are distinctly with the neighbouring republic. But, their sympathies being English, they preferred to sacrifice to a large extent their present pecuniary interests with the object of making the Confederation of Canada a reality. I hope that this Government will not pursue such a course as will keep up the irritation that now exists, an irritation that has only been partly allayed by the giving out of the contract for the Emory's Bar Section. The Legislature of our Province has not met for 1880, but I fully believe that, when that Legislature shall have met and the question of railways shall have come before it, it will again ask and insist that the agreement already made for the construction of the Esquimalt and Nanaimo Section shall be carried out. If that arrangement is not carried out by this Government, I believe they will carry their appeals again elsewhere, and ask the aid of the Imperial Government to induce, if possible, the Government of Canada to carry out the agreement of 1874. I believe I have said enough to show the expectation of the people of Vancouver's Island, and I am of

opinion that none of the mainland constituencies would object to seeing that carried out. The members of the Local Legislature consider the Government of Canada should by all means build the road between Esquimalt and Nanaimo. The Board of Trade of British Columbia has recently forwarded here a certain preamble and resolutions in which they ask that the bargain made should be carried out. That board is not constituted of a class that is likely to be carried away by mere feeling; but, after duly considering all the bearings of the case, they have sent a circular here that I believe many members of this House have received. The fact that the Local Legislature is backed up by a body so influential, having most of the bankers and merchants in connection with it, ought to carry such weight at least as to induce this Government to take the matter into consideration and obtain a vote of this House for the building of the Esquimalt and Nanaimo line.

MR. BLAKE: I do not rise to join in the general debate, but there are two matters referred to in the Address to which it may be useful to direct the attention of the House for a few moments. The first is the proposal for the appointment of a representative of Canada resident in London. The Address states that "The increasing foreign trade of Canada and the prospect that Her Majesty's Government will enter ere long into negotiations with foreign nations on the subject of their trade and commercial relations, demand our closest attention and watchfulness." This is the primary reason given for the appointment of a resident representative. The second reason is apparently of a domestic character. The Address proceeds to state that "the rapid development of the Dominion is continually giving rise to important matters requiring the support and action of the Imperial Government." With reference to these two reasons for the appointment of a resident representative I have to say that, while I quite agree in the extreme importance of paying the utmost attention to the development of our foreign trade, I cannot reconcile with the true inwardness of the protective and restrictive policy adopted by the Government, any sincere effort of theirs toward the development of our foreign trade. Trade is exchange; and, if you want other



people to take your commodities, you must be willing to take theirs; and, whilst you establish, support and maintain, as a part of the general permanent policy of the country, a system of obstruction and restriction as to the importation of those commodities which other people have to give you, it is a farce to talk of extending your foreign trade. It is, therefore, curious that, at the very moment at which the Government is engaged in the pursuit and improvement, as they say, of a policy obstructive to foreign trade, they should propound to us this other policy. As to the internal or domestic reasons which render it necessary that we should continually solicit the action and support of the Imperial Government I do not find it easy to conjecture what these are; the only one which occurs to me at the moment is the proposed guarantee, or other material aid towards the construction of the Pacific Railway. With a very considerable flourish of trumpets, it was announced, as a part of the policy of the Government, that the construction of this road should be presented to the eyes of the English people as an Imperial and National work to which it was their duty and interest to contribute, and the Government was at its own instance, directed and authorised during the late Session, to take measures to procure material aid from the Imperial Government. No doubt, Sir, that business has been accomplished as successfully as the other affairs which have engaged their attention, to which they have given some degree of publicity, but it is one of their good deeds of which we have heard nothing. Neither in the Speech from the Throne, nor in any other way has the result of the English mission been announced to us. Is the complete success upon this subject reserved for the present to be administered to us as a *bonne bouche* at some more critical period of the Session, or is this in truth the important concern in which Canada still requires support, and which makes it necessary that we should have an agent at the doors of the Imperial Government, in order that the solicitations necessary to success may be made with that importunity which experience has proved to be requisite? Perhaps after all, the importunities of last summer have not been successful, and we

MR. BLAKE.

are now to reiterate these importunities through a special representative. I have more than once stated my opinion of Sir Alexander Galt, who needs no eulogy from any member of this House. But, although he may become the Agent of the Canadian Government in London, still, to become the colleague of gentlemen opposite, led as they are, would have been for him impossible. We have his views so late as September, 1875, when he wrote thus:—

“I continue to belong to that section of the so-called Conservative party which regretfully acquiesced in the condemnation passed by the country upon the late Administration, and I cannot blame those members of our party who found it their duty to sustain Mr. Mackenzie's efforts to carry on the Government, which he would have been utterly unable to do if dependent only on the support of his immediate political friends. The exigency of the hour necessitated a breach in the former party, and had I then been in Parliament Mr. Mackenzie would have received from me all needful support. This necessity has now passed away, and the Administration must henceforth be judged on its own merits, and not supported from any alleged fear that their resignation would absolutely restore Sir John A. Macdonald to power. My conviction in reference to this latter contingency is, that notwithstanding the great and acknowledged public service of that gentleman, it is impossible to ignore the circumstances that led to his defeat. I regard his election as a regular leader of the Opposition in Parliament, as a grave mistake, which tends to perpetuate the breach in the party, and must ultimately lead either to the formation of new party lines or to the final adherence of many of our friends to the so-called Liberal ranks.”

Men may alter their political opinions; convictions may change on measures, and on policy: new light may dawn on various questions of expediency, under the influence of reason and full discussion; but, upon a question of this kind which had been discussed for years—not a political but a moral question—the judgment of a gentleman deliberately expressed, in language all the weightier for its temperate firmness is obviously irrevocable, and it was therefore quite impossible that he could have become the colleague of the gentleman who leads the government. But, of course, while he could not act with, he may properly act under him; while he would not be a principal, he may rightfully be an agent or a representative. But perhaps even in the capacity of a representative, endeavouring to secure the assistance of the Imperial Government in

constructing the Pacific Railway, although not absolutely bound, he may yet be somewhat embarrassed by his own recorded views upon that subject. To find them, it is not needful to go beyond the limits of the letter from which I have just quoted. He continues thus :

"I entirely adopt the views enunciated by Mr. Blake respecting the Pacific Railway and our relations to British Columbia prior to his joining the Government, and if I could reasonably hope that these opinions would henceforward be those of his colleagues, I should on this subject be their supporter and follower. I consider the proposition perfectly monstrous, that for the sake of the sparse population on the Pacific Coast, the prosperity of the four millions of people east of Lake Superior should be arrested and their political independence jeopardized. No one who observes the state of the country can doubt that it is of the last importance Canada should, in its public burthens, afford a marked contrast to the United States. Cheapness is the set-off we have to offer the emigrant against the milder climate of the South. High taxation, which must be by customs duties, approximates our condition to that of the United States, must exasperate our fellow-subjects in Great Britain, and thus, by double action, weaken the ties that bind us to the Mother Country and also our inducements to maintain our own system of Government, as opposed to that of the United States. I believe nine-tenths of the people of Canada are convinced that the construction of the Pacific Railway is at this time, and will be for many long years, wholly unnecessary; they know the cost will be prodigious, and no one fit to govern the country can be ignorant of the fatal consequences of undertaking such an outlay. The frank and honest course is to tell British Columbia that the engagement was improvident and its fulfilment impossible; to offer reasonable equivalents for its abandonment, and, failing agreement, to intimate our acquiescence in her retirement from the Confederation. She cannot complain that the connection has thus far been injurious to her; she would still remain in the Empire and subject to the Queen. I do not consider between members of the same Empire public faith can be construed to entail the most disproportionate sacrifices by the greater for the less, even if not involving both in common ruin. Public faith, in my opinion, is in a much more sacred way pledged to the public creditor, and it is certain that an enormous increase of debt attended by exhaustive taxation, would most seriously affect his position."

There are other passages in this letter which are almost equally important and instructive, but it will be obvious that in the pursuit of his duties, these words will perhaps involve him in some embarrassment and difficulty. Now I wish to say there is some danger that in taking this

step we do not grasp a shadow and lose the substance. The step is one of great consequence, and we should guard against the possibility of Canada being from time to time bound and fettered by executive arrangements, concluded during the recess of Parliament under the greater facilities afforded by the establishment of the agency, while the voice of her people is unheard. We are not without experience. We remember one former occasion in particular, when we were told that great honour and advantage had been conferred upon Canada, that one of her sons was appointed to represent her on a commission in whose labours Canada was deeply concerned; and we were told afterwards that that Commissioner, being the agent of the British Government, could not act as Canada's representative in an independent capacity. I do not hesitate to say that the interests of Canada suffered severely from the circumstance that a Canadian represented her in that case. She was bound as if she had freely agreed, when in fact her representative was not free. It was a detriment instead of an advantage. My own opinion is that a more practical and important step towards the advancement of the material interests of the country, and towards the furtherance of a sound policy would be to effect an arrangement by which we should have an agent at Washington,—a man, enjoying the confidence of the people of this country, cognisant of its wants and able to facilitate by personal intercourse, commercial negotiations at Washington which would be productive of important results. Difficulties would thus be smoothed away, obstructions would be removed, misunderstandings cleared up, misapprehensions set right, and the true position set before the statesmen of the neighbouring Republic, from which would result, in my belief, a more enlightened policy on both sides, to the advantage of each. I would direct the attention of the Government to this question, as one of deep importance to this country. The only other topic to which I propose to advert is that of the contracts for the construction of 127 miles of railway in British Columbia. I desire to recall to you that, though the Government asked last Session for authority to contract for not exceeding 125 miles, this was on the understanding that the Imperial Government should be asked to give material

assistance towards its construction. The hon. gentleman who moved the resolution said :

"I believe that, under these circumstances, we may look with confidence to the action of England in this matter, and, considering that Canada is at this moment committed to a large expenditure, in permeating the best and more accessible portions of the fertile prairies of the North-West we may ask the Imperial Government to give us substantial aid, or to give us a guarantee which will cost the Empire nothing, to assist us in reaching the rich prairies of the North-West, by penetrating the Rocky Mountains from the Pacific coast. And, Sir, we can go to the Mother Country with additional confidence, seeing that, again and again, having received her endorsement of our bonds, we have always maintained our credit, and have never allowed England to be called upon to contribute a single dollar in consequence of any guarantee she had given us. Under these circumstances, we look with confidence to the Mother Country as a source to which we are entitled to look for substantial aid in the construction of the work. But we are not only prepared to give the sound, untarnished credit of Canada in support of any aid or assistance we may ask, but we are prepared to place at the bottom of that national credit of Canada, one hundred millions of acres of the most fertile land in the world."

The hon. the First Minister spoke in the same or stronger terms. He said :

"We will allow the British Government to choose one Commissioner, we will choose another Commissioner and those two men shall hold a quasi-judicial position, somewhat like the Auditor-General in England and the Auditor-General, free from all political exigencies, from the chance of all political change. They shall be charged to faithfully and honestly administer that enormous estate of 100,000,000 acres, to invest it in Dominion securities, not to sell any land under \$2 an acre, except with the joint consent of the two Governments, the Government guaranteeing and the Government honouring, and besides all that, to administer the operation of the railway itself.—Just consider what a hand, if I may use a simile from the gaming table a Minister would hold, who should go to England and say not only is the credit of Canada pledged for this road, but 100,000,000 acres of land are set aside for it, not to speak of this great railway itself and all its future earnings, which is to be built by Canada and kept free of incumbrances. It will be good substantial security for all it can earn over its working expenses. It is a scheme that must succeed, and not all the puny well-directed shafts by which it is attempted to disarrange this great work will have the desired effect."

Again he said :

"But I believe that when the scheme is presented to Her Majesty's Government, and they

have seen the Imperial importance of this work—when they see the enormous advantage it will be to relieve the over-crowded portions of the Mother Country, by removing the surplus population into the New Britain in the Far West, they will grant a guarantee where they have granted it before, with this additional security which, without obliging England to pay a single sixpence, will enable us to push on the work and obtain all the money required for this great work on as advantageous terms as if it were a direct liability of her own."

And, after a string of resolutions showing the grounds on which the appeal was to be made, the House was asked and it agreed to authorise and direct the Government to secure the cooperation of the Imperial Government in this great undertaking and to obtain further aid by guaranty or otherwise in the construction of this national work. Inspired by these assurances on the part of the Administration, that the policy they propounded would succeed, and influenced by the formal resolutions to which I have referred, the House assented, as a part of the complete scheme brought down, to the Government, being authorised to enter into contracts for the construction of 125 miles in British Columbia. But there was a special reason given for this assent. The Government stated that they pledged themselves to British Columbia to commence construction during the then coming and now past season. It was, as the hon. member asserted, because there was an emergency, an exigency that the work should be commenced before Parliament would again sit, that the power was asked and given. The hon. gentleman opposite in his speech entered into some discussion as to the obligations in this particular of the Pacific Railway Act; but it is needless to follow him in this, for he did not deny or repudiate—on the contrary he expressly asserted—the propriety of obtaining the sanction of the House to such contracts as these. To use his own words he "endorsed the sound principle that all these contracts should be submitted to Parliament where possible." We were led to believe until very recently that the formal execution of these contracts had not taken place, and the language of the Speech is perhaps ambiguous as to the fact of execution, though it points with painful clearness to an intended completion without submission to the House. It is admitted that the

work is not to be commenced until next spring. There is, therefore, no ground for depriving us of our power to deal with this question, and I trust that the contracts have not yet been executed, or, if executed, that they are to be laid upon the Table and made subject to the sanction of the House. There are two distinct grounds on which I claim this right. First, the authority for these contracts was an authority given as part of a general plan and policy, a material portion of which was that the Government were to obtain English assistance for the construction of the railway in British Columbia; and, if that policy has not succeeded, if they have not obtained that assistance, they are bound to give Parliament the opportunity of determining whether they will sanction the execution of these contracts and the commencement of this work, without that assistance. I say that it is an entirely changed state of things, on the assumption which we are entitled to make, in the absence of any announcement in that Speech from the Throne which tells us so many other things, that no favourable consummation of that policy has at this time been reached. We are entitled to assume that the foundation upon which Parliament was asked to permit these contracts to be let, has not been formed by those who asked us to allow them first to build the foundation and afterwards to erect the superstructure. I venture, though doubtfully, to hope that they have not erected the superstructure before they have built the foundation. There is another reason which is equally serious. The hon. gentleman stated that he endorsed the sound principle that, wherever it was possible, these contracts should be submitted to Parliament. He pointed out that the case was exceptional because it was absolutely necessary to take steps to begin the work in British Columbia in the season of 1879. Failing in his expectations, unable to commence the work in the last season, unable to conclude the contracts and execute them, at any rate until within a short time of the Session, it is quite obvious that, having regard to the reason which he gave, and, I have no doubt, honestly gave, to this House, namely, that he expected to begin work during recess, he would have been wanting in his duty if he used the authority which he obtained by virtue of that reason, when the reason had failed.

Having arranged for these contracts so late that the work could not be commenced till spring, and it being thus possible, contrary to his expectations, to submit the contracts for the sanction of this House, the hon. gentleman should—and I shall hope, until he negatives it, that it has been his course, as it was his duty—have completed the execution of the contracts only upon the usual condition that they would be subject to the sanction of this House. What did the hon. gentleman from Lambton (Mr. Mackenzie) do in similar circumstances? In the Session of 1874, upon the same statement, made in the same way, he obtained the same special authority to let the contract for the Georgian Bay Branch without the sanction of Parliament, but, as the hon. gentleman was not able to let it until the approach of the Session of Parliament, having found that the purpose for which he had asked the special authority had failed, having found that it was possible for him, without grave public inconvenience, to give the House an opportunity of pronouncing upon the contract, he did not avail himself of the authority, which he had so obtained, but held it to be his duty to make these contracts subject to ratification, and to lay them upon the Table for the free action of the House during the second Session of that Parliament. Therefore, we have the hon. member's own statement as to the rule; we have his own statement as to the reason of the exception; we have the fact that the reason has failed; we have the precedent of the Georgian Bay Branch contract; and for this second reason I hope that these contracts have been or will be made subject to our action, and, if, as the Speech indicates, that is not the present intention of the Government, I hope that, after considering what I have said, they will modify their views and alter their course. For my own part, I believe that, assuming what I have assumed already in respect to the English mission and its results, and even on the contrary assumption, no graver material question is now presented to the consideration of the Parliament of Canada than the question of what, in the present circumstances of this country, and its future outlook as to its trade, its revenue, and its taxation, should be its policy as to the construction of the Pacific Railway. And, that being

so, I hope that Parliament will be permitted to pronounce upon it as free and unembarrassed as I have pointed out was possible; but, whether free and unembarrassed, or complicated by the execution, within a few days from the Session, of contracts not subject to its assent, we are, in my opinion, bound during this Session to consider and determine whether, in the present and prospective state of the finances of this country, the public credit is to be charged with loans to an enormous amount, for the construction of a work wholly beyond our resources, if constructed in the way, after the fashion, and at the rate at which hon. gentlemen opposite propose to construct it.

*Motion made and question proposed :*

"1. That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech at the opening of the present Session, and further to assure His Excellency,—That we are grateful to His Excellency for the expression of his great pleasure in meeting us again for the despatch of the business of the country.

"2. That we feel with His Excellency that the abundant harvest with which Providence has blessed Canada is a cause for the deepest thankfulness; and that we receive with great satisfaction His Excellency's congratulations on the evidence which surround us of a recovery from the commercial and industrial depression which has so long weighed down the energies of the people."

*Motions agreed to.*

*Motion made and question proposed :*

"3. That we agree with His Excellency in thinking that our returning prosperity should direct our attention to the less fortunate circumstances of our fellow subjects in Ireland where so much destitution prevails, and are prepared to give our consideration to the best means of showing our practical sympathy with their distress."

MR. MACKENZIE; I would ask the hon. gentleman who speaks for the Government, in the absence of the leader, how it is proposed to act in this matter? No one, I presume, in the House can help concurring in the proposition here suggested. Everyone will be waiting that prompt assistance should be given by Canada under the distressing circumstance which are presented to us as existing in Ireland. I presume that the Government will not think of waiting until the regular Estimates are brought down, as I hope and believe there will be unanimity in this matter. I think the

MR. BLAKE.

money should be sent as speedily as possible in order to effect the largest amount of good in the shortest time.

MR. JONES: What sum will be brought in?

SIR SAMUEL L. TILLEY: We will wait until the resolution is brought in.

MR. JONES: I would not like to see this Dominion give a paltry sum towards such a service as that. Large sums have been given in the neighbouring Republic, and I should not like to see our Dominion give certainly less than £50,000 sterling. I think the House, at the present moment, would give their consent that the Finance Minister should be allowed to telegraph to the other side of the sea that this Dominion will be willing to give £50,000 sterling for that purpose.

MR. ANGLIN: I would ask the Hon. the Minister of Finance what he thinks will be the earliest day, for the delay of a week may be a serious matter, and render our gift less valuable than it would be if promptly made. I am satisfied that if the Government propose on Monday next a vote in this House, authorising them to forward any sum of money that they may determine upon, the vote will pass unanimously. They will be quite justified in acting upon it, and afterwards bringing the amount in, in the Estimates in the ordinary way, but, if we are to wait until the Estimates come down, we may have to wait two, three or four weeks, and all that time thousands of people are famishing. It is to many of them a matter of life and death. Some time ago, I observed a letter from the Hon. S. G. Osborne in the *London Times*, in which he urged upon the people of England the importance of speedy action, and stated what he saw in the great famine of 1847, when a very large sum of money was contributed in England, and distributed carefully in Ireland; but, notwithstanding, it arrived too late to save hundreds of thousands of people from dying of starvation, and dying after, in some instances, they had had plenty of food to eat. Their system was so debilitated that they were unable to assimilate the food, which, in some instances, they consumed in large quantities. That accords with the result of my own observation during that dreadful visitation. I saw persons who, day after day, consumed more food than they would

consume under ordinary circumstances; and, notwithstanding this, were dying of famine. Prompt action is of great importance in this matter. Whatever we are willing to do should be done at once. Whatever the Government is prepared to propose, if it be only as generous as it should be, I am satisfied the House will concur in.

SIR SAMUEL L. TILLEY: As His Excellency the Governor-General introduced into this paragraph of his Speech an expression of gratitude to Providence for having blessed us with a bountiful harvest, it did appear to the members of his Administration that it was a favourable opportunity to show their appreciation of the blessings that had been bestowed upon the Dominion of Canada by giving of our substance to aid those who were not similarly blessed. The Government felt that, on both sides of the House, no matter what might be the political opinions of members of Parliament, whatever proposition was made would be heartily responded to. I can only say to the hon. member who has just taken his seat that any contribution which the Parliament of Canada may make will not be made less valuable by any unnecessary delay, even the delay of an hour.

MR. MILLS: Since the hon. gentleman is anxious to secure in this matter the cooperation of both sides of the House, it would have been well that the answer to the Address had been put in such a form as to make it acceptable to both sides of the House. The hon. gentleman says in this paragraph "that we agree with His Excellency in thinking that our returning prosperity should direct our attention," &c. Now, a large number of gentlemen on this side of the House do not subscribe to the hon. gentleman's views with regard to returning prosperity, and why should he, in calling upon the House to grant aid to the people of Ireland in their suffering, undertake, at the same time, to force upon hon. gentlemen on this side of the House his view of the political situation of this country? If the hon. gentleman is so anxious, as he says he is, to meet the views of hon. gentlemen on this side of the House, he might alter the phraseology of the paragraph in this way: "That we thank

His Excellency for directing our attention" &c, leaving out those words that the hon. gentleman knows right well are contested. I do not believe that the prosperity of this country is at this moment returning. I do not believe that the hon. gentleman has done anything to promote the prosperity of the country: and, holding this view honestly, and I believe as intelligently as the hon. gentleman holds to his own view, why should he in calling for aid to the Irish people—aid which I believe we on higher grounds are bound to grant—undertake to connect it with the political views of the hon. gentleman on the financial condition of this country?

SIR SAMUEL L. TILLEY: If the Government had asked in this resolution a vote of money, and compelled the House to adopt both, then there would have been something in my hon. friend's position, but it is not the intention of the Government to ask a vote on this resolution. If they had done so, then it might be a question whether this House saw anything objectionable in the paragraph which might involve an expression of opinion on the financial position of the country. We intend that it shall be a separate and distinct proposition, that both sides of the House will unite in.

MR. MACKENZIE: The hon. gentleman will see that the reason for giving aid to Ireland is that our returning prosperity should direct our attention to it. Of course our attention is directed to it by the fact that it is in the Speech, but the returning prosperity does not direct our attention to it. There has been no returning prosperity, but a deeper distress.

MR. CASEY: It may be that, in some sections of our own country, returning prosperity may call attention to distress in Ireland. But there are other causes in some sections which may have the same effect. In the city of Quebec, at least, it is more likely that the local distress may create sympathy with Ireland. *L'Evenement*, a paper which has gone over to the Government on the question of Protection, says that the distress in Quebec is something extreme. In an article published a short time ago on this very question—relief for Ireland—*L'Evenement* pointed out a parallel that existed between the condition of the city of Quebec and the condition of Ireland. Some time before that, this paper had published a story about

a poor woman having had to kill and roast a cat to keep her children from starvation. This story having been challenged by the *Chronicle of Quebec, L'Evenement* returned to the charge, and stated that the story was actually true. It proceeds:

"For three or four months we have called attention to the destitution which desolates some districts of our city, and have appealed to public charity. And, we repeat it the destitution in Quebec is greater this winter than it has ever been. It has been given to ourselves to enter certain houses, and to see little children of a year old and less dragging themselves along the bare cold floor, naked, absolutely naked, whose mother tried to hide their nakedness by snatching them up and half covering them with her apron or a fold of her dress. There was no fire in the house. In a corner stood a dirty bunk serving instead of a bed. The night before, these poor people had sapped on a mouthful of dry bread, and that morning, the meagre provisions of the evening before being exhausted, nobody had breakfasted. They would have to go dinnerless and perhaps supperless.

"One may be certain that there are a large number of people (*foule de gens*) who go without food for days together. These poor people have seen better days when they dispensed charity themselves. This is why they do not and will not beg, and why it is hard to find them out."

Here we find that in the City of Quebec, one of the most important manufacturing centres in the country, a paper supporting the Protectionist policy of the Government—a policy which was to bring about returning prosperity—states that people are as necessitous and as deserving of assistance as the people of Ireland. To show this is no mere supposition, the same newspaper goes on to state:

"The generous movement in favour of unhappy Ireland meets with our most profound sympathy. \* \* \* There is destitution in Quebec, there is the same in Ireland. \* \* \* The members of the St. Vincent de Paul Society have done impossibilities hitherto, and now their resources are nearly exhausted. The number of poor who have asked relief from it this year is twice as large as last year."

I infer from the article that they based their application for sympathy to Ireland on the fact that the people in Quebec know what starvation is themselves. I think it would be much more correct, as far as the people of Quebec are concerned, if this resolution would state that, in consequence of the profound distress in many parts of Canada, our sympathies are warmly excited for people in the same condition in Ireland, and that we ought to afford them some relief.

MR. CASEY.

MR. CARON: I am quite surprised at the deep interest which my hon. friend takes in the famine-stricken people of the city of Quebec. The hon. gentleman has told us that his information came from a paper which formerly supported his party. I have no doubt that the gentleman who wrote that article was simply intending to crack a joke at the expense of the hon. gentleman who at present takes such a deep interest in Quebec matters. I do not represent the city of Quebec, but I live within its walls. I am largely engaged in business there, and I may say I have better opportunities of observing what is going on in our city than the hon. gentleman, who gets his opinion from the newspaper formerly supporting his party. We always have, of course, in a large city like Quebec, more or less poverty at this season of the year but I can say, and I believe I will be borne out in my statement by every gentleman acquainted with the city, that in the city of Quebec this winter we have not had to deplore as great distress as last year or the year before; consequently my hon. friend is mistaken about the effects of the National Policy in Quebec, and I am sorry that he should be disappointed in his endeavours to make a point against the Government about its adoption. As for aid to Ireland, I agree with what the hon. gentleman (Mr. Jones) has said. I believe it is our duty to help the people of Ireland in their deep affliction and distress, and I have no doubt that the Government will take proper measures to render assistance as quickly as possible. In extending a helping hand across the waters to the Irish, Canada should act in a manner worthy of herself, and worthy of the position she holds as containing within her borders so large a proportion of Irish people who have helped to build up this country.

MR. PLUMB: I had no intention of taking part in the discussion of the Address which has been so ably moved and seconded, and which meets with the hearty approval of the large majority of the members present. I have been much gratified to observe that the proposition to afford aid to the suffering people of Ireland has been received with marked and cordial approval by both sides of the House, and that a consensus of feeling and a generous spirit is manifest with re-

gard to it. I was pained and disappointed when the hon. member for Bothwell (Mr. Mills) rose and brought into the discussion the spirit of narrowness, illiberality, carping and prejudice, which we have seen him always ready to infuse into the debates in this House in which he takes part. I thought this subject would appeal to more generous sympathy in that hon. gentleman's bosom than he usually evinces, but the moment he began to speak it was perceptible that he intended to drag down even this painful subject to the contemptible level of a low partisan view, and to endeavour to chill the kindly enthusiasm of the House by turning it into an issue based upon an unworthy quibble. The Address merely affirms the intention of aiding the sufferers. There is no definite resolution before the House in respect to it, and there is no excuse for the sneering cavil of the hon. member. When the proposition comes up, as the Finance Minister has promised it shall speedily come up, it will doubtless be made acceptable to the whole House, and will then be a legitimate subject for examination and debate. I was pained but scarcely surprised to observe the position taken by the hon. member, but, when he was followed by the hon. member for West Elgin (Mr. Casey), I felt sure that the hon. gentleman's objections were to be supplemented by something still more illiberal and unworthy, through the flippancy of the hon. member for West Elgin and his self-sufficiency and incapacity for approaching any subject without betraying his peculiar characteristics. The hon. member's remarks were utterly out of place, and I mistake the temper of the House if they met with the approval of either side, and I feel warranted in expressing the belief that the whole House will be found in accord with the Government in affording promptly such a measure of relief to the poor sufferers as will be worthy of Canada, and will signify that her representatives here are not unmindful of her debt to the country that has furnished men to subdue her forests and open up her avenues of commerce and traffic. I have listened with painful interest to the feeling appeal of the hon. member for Gloucester (Mr. Anglin), who was an eye-witness of the terrible sufferings of his fellow-countrymen in the famine of 1847,

and whose remarks should have elicited a very different response from that which we have just heard from the gentlemen near him. I trust the tone of the hon. members for Bothwell and West Elgin will not be adopted by any other members of this House, and that we will all shake hands upon this question, laying aside party differences in view of the harrowing needs to which we are called upon to minister, and I believe that the Government will speedily bring forward a measure that will be in full accord with the feeling of the House, and meet with its unanimous and enthusiastic support.

*Motion agreed to.*

*Motion made and question proposed :*

"4. That we are sensible that we have reason to congratulate ourselves on the number of settlers who have during the past year come into our North-West from Great Britain and the United States, as well as from the older Provinces of the Dominion. That we are glad to believe that the visit of two members of the Royal Commission on the agricultural distress in the Mother Country, and the favourable report of the tenant farmers, who, at the instance of His Excellency's Government have examined into the farming capabilities of the Dominion, will largely increase the number of emigrants during the present year. That we are aware that preparations must be made for their reception, and that our best attention will be willingly given to this subject."

MR. MILLS: I would ask the hon. gentleman whether he would not strike out the words "sensible that we have had reason" in the first line and insert the words "We are glad to be informed that we have had cause."

MR. ANGLIN: It is well that it should be understood at once that several gentlemen on this side of the House object very strongly to the wording of nearly every one of these resolutions. Whether the Government intended to force us into moving amendments to the resolutions and, by making use of their large majority, to give us several hearty thrashings that we may appear in a every small minority on the Journals at the opening of the Session, or whether it was merely to annoy and worry us on this side of the House, I will not pretend to say. The wording of this resolution is highly objectionable. It must have been known to those who prepared the Speech that these words were objectionable to hon. members on this side of the House. I do not know that it is the intention of



any one to propose an amendment. It is not, I presume, the intention of any one to ask for a division on the Address or on any particular paragraph, but I think it is our duty to let this go to the country that, while we allow the Address to pass without pressing amendments, we distinctly state that we object to several declarations made in the various paragraphs, and that we do not consider ourselves bound by the expression of any opinions which we are asked to express in this Address. Entering that protest, perhaps it would be as well to allow the Address to pass paragraph by paragraph without making any special objection to the expressions. It seems to be the desire of all parties to get through with the Address this evening. We certainly could not do so if we were merely to point out how objectionable many of these paragraphs are and how they are calculated to bind us to the expression of opinions which are not our opinions, and how they are perhaps deliberately calculated to place us in a false position before this House and the country. Perhaps we shall relieve ourselves from any responsibility by declaring once for all that we regard the whole form of this Address, and many of the expressions it contains, and many declarations set forth in it as highly objectionable and contrary to our views of what is right, and contrary to our opinions of what are the facts and what the circumstances of the country are.

MR. MACDONNELL: I cannot allow a clause to pass unnoticed, and particularly that part of it which asks us to congratulate ourselves upon the fact that a part of the North-West has been built up by persons removing from the older Provinces. I cannot understand how the hon. the Minister of Railways and Canals can support such a clause as that. I cannot understand how the hon. mover of the answer to the Speech from the Throne can bring himself to support that clause. Is it possible that representatives of the Province of Nova Scotia, from which thousands of persons have departed for the United States and Manitoba and the North-West, can congratulate themselves upon the fact, when that Province is in such a state of want of prosperity, that there is such distress there, that the farmers have had to leave the country and seek a home else-

MR. ANGLIN.

where in order to gain a livelihood. It is a fact that many of our miners have left the Province of Nova Scotia. Is it to better their circumstances? I suppose it is—their circumstances require bettering. I see in that, however, no cause for congratulation and I cannot allow this clause to pass without entering my protest.

Motion agreed to.

Motion made and question proposed :

"5. That we learn with great satisfaction that every effort has been made to hasten the construction of the Canadian Pacific Railway from Lake Superior to Red River, and that no doubt is entertained that the Railway will be opened for traffic between those important points within the time specified in the contracts; that under the authority given by Parliament last session, nearly one hundred miles from the Red River to the western boundary of Manitoba has been placed under contract, and tenders are about being asked for for the construction of another hundred miles from the boundary westward; and that the completion of these two sections will, at an early day, afford railway facilities through two hundred miles of the most fertile land in the North-West. That we thank His Excellency for informing us, that after an exploratory survey of the line from Port Simpson to the Pine River Pass, and through the Peace River country, it has been decided to adopt the location of the line to Burrard Inlet; that contracts have been awarded for one hundred and twenty-seven miles of the railway between Emory's Bar, on the Fraser River, and Savona's Ferry; that this work will be vigorously proceeded with so soon as the spring opens; and that its construction will complete the most difficult portion of the Canadian Pacific Railway, and secure the connection by steam of the fertile district of Kamloops with the capital of British Columbia."

MR. BARNARD: I would not undertake to say anything on this question at present, were I not given to understand that the speech of the hon. member for Victoria (Mr. DeCosmos) was calculated to mislead the House and create the impression that the people of British Columbia were not satisfied with the selection of the railway route made—the 130 miles section referred to in the Speech. I was in that hon. gentleman's constituency when the news arrived that the Government had adopted the Burrard Inlet route, and have no hesitation in saying that it was gladly received by almost every individual. I can fairly challenge that hon. gentleman to find a baker's dozen of his supporters to say the route chosen is not the proper one. With regard to his complaint of the delay last year, I would simply say

that, on all occasions, when delays were sought, he assisted in obtaining them in the hope that a route more consonant with his views would be adopted. It ill becomes any hon. gentleman from Victoria or British Columbia to take ground against the present location. It was decided upon after mature consideration, by both Governments, and met the views of the people of British Columbia. The reason for the present selection is well understood there, as there exists between the frontier of British Columbia and the interior, or grain, growing portion of the country, the great canon of the Frazer, where the cost of transport is so great that I believe there has not been transported a bushel of grain for export or consumption at the seaboard. The whole frontier is being supplied with flour made in the State of Oregon. Nay, the farmers of Vancouver Island and the lower Mainland are using Oregon flour, while there is abundance of the home-made article in the interior. The completion of this section of the Railway will bring the two sections of country referred to in the Speech together, and enable the farmers of the interior to supply the increasing demand which is being created at the seaboard. The hon. gentleman speaks of the small number of farmers settled near Kamloops. Is it any wonder that there are so few farmers in that section, or that people hesitate to settle on lands so situated, or that little or no grain is grown in the interior? The reasons are obvious. There is no market whatever. The remarks of the hon. gentleman astonished me the more because the first speech I ever heard him make in reference to the railway was one in which he extolled this route, selected it as the only one that would be of any service to British Columbia. He was eloquent in his advocacy of this route and of the connection of the rich districts of the interior with the seaboard of British Columbia. I regret exceedingly that any British Columbia representative should have spoken as he has to-night. I do not think that we ought to regard this as a purely British Columbia question. The Pacific Railway was not designed for British Columbia, any more than British Columbia was made for that Railway. It is part and parcel of the great political scheme chalked out at Confederation—the

great transcontinental railway is to be built in the interest of the Dominion, and not in that of British Columbia alone.

Motion agreed to on a division.

Motion made and question proposed :

“ 6. That it gives us much pleasure to know that the adoption of a rigid system of economy in the management of the Intercolonial Railway has, without impairing the efficiency of its working, effected such a diminution of expenses as to warrant the belief that the country will in future be relieved from any considerable burden in connection with its operation.”

Motion agreed to.

Motion made and question proposed :

“ 7. That we are aware that, in consequence of the entire failure of the usual food supply of the Indians in the North-West, a large expenditure must have been necessarily incurred to save them from starvation; and that we share the hope expressed by His Excellency, that the efforts which are now being made to settle the several bands on the reserves, and to induce them to betake themselves to the cultivation of the soil, may prevent the necessity of similar calls for relief in the future.”

MR. MILLS : I have not the pleasure of knowing, like the hon. gentleman at the head of the Department to which this paragraph refers, that the Intercolonial Railway has been managed with a great deal of economy. The general impression abroad is that the facts would not bear out this statement. The hon. gentleman might insert, instead of the word “know” the words “we are informed”; that is the usual course adopted. Hon. gentlemen on the Treasury Benches, when on this side of the House, frequently asked to have the phraseology of the Address changed, that it might be unobjectionable. I think that we must either insist on a change of this resolution, or upon its being carried on a division. The change I propose would make the paragraph more acceptable to this side of the House.

SIR CHARLES TUPPER : I am quite certain that no alteration would meet the hon. gentleman's views, but one substituting for the words “much pleasure” as regards the effecting of economies the word “displeasure.”

MR. MILLS : We do not know anything about your economy; on the contrary, we know it is not the fact.

Motion agreed to on a division.

Motion made and question proposed :

“ 8. That we thank His Excellency for the assurance that the Estimates for the ensuing

year will be laid before us, and that they have been prepared with all due regard to economy."

MR. MILLS: This is a not less objectionable paragraph. We are not aware that in consequence of the "entire failure" of the food of the Indians, an unusual supply was required. I believe there was not an entire failure of the food supply, but that there was a very considerable number of buffalo, and the usual supply of fish on which the Indians partially subsisted. If there had been an entire failure, these gentlemen would have been obliged to feed the Indians the whole year at the public expense. Will hon. gentlemen opposite say this was done? We are certainly not aware of the fact asserted, and we do not believe that Ministers are. It seems most extraordinary to call on the House to state as a fact in reply to the Speech something known to be contrary to the fact. I would suggest in place of the word "aware", the words "that we regret to learn" in the first line "has" instead of "must have" in the second line, and "we trust that the hope expressed by Your Excellency may be realised", instead of "we share the hope expressed by Your Excellency" in the third line.

SIR SAMUEL L. TILLEY: I think there is certainly something in what the hon. member for Bothwell (Mr. Mills) says, that the failure was not entire; but there was a large failure, and there is a very large amount of distress.

MR. MILLS: A partial failure would cause that.

Motion *agreed to* on a division.

Motion *made* and question *proposed*:

"9. That we shall be well pleased to find that the effect of the tariff of last Session in the development of the varied industries of the country, has on the whole been very satisfactory, and that we shall willingly give our attention to any amendments of which the experience acquired since it came into operation in March last, may have suggested the expediency."

SIR RICHARD J. CARTWRIGHT: If a paragraph had been desired, calculated to make it impossible for the Opposition to concur in the Address, this would have been the one that would have suggested itself to the Finance Minister. I am willing to make a compromise with him, and to leave the entire resolution as it stands, with the addition of three or four words like these:—"The effect of the

Tariff has been very satisfactory to Messrs. Redpath, Drummond and certain cotton manufacturers."

SIR SAMUEL L. TILLEY: We are not astonished that the hon. gentleman who has just spoken, and those who sit near him, cannot comfortably vote for this paragraph. They are not pleased that the effect of the Tariff on our industries has been satisfactory—that is the trouble.

SIR RICHARD J. CARTWRIGHT: We question your facts.

MR. GAULT: I am very happy to say that not only sugar refining, but cotton manufacturing and the whole trade of the country has been benefited by the Tariff. We have hundreds of houses now occupied in Montreal, as a consequence of the Tariff, that were formerly untenanted. Coming from my own house in the western suburbs of Montreal the day before yesterday, of 83 houses formerly idle, I could find but 27. In St. Antoine Ward and Point St. Charles, two very important suburbs, many houses used to be unoccupied, and many people were unable to pay rent. Now, I am happy to say, the people are fully occupied, and all the manufactories are working. One gentleman told me he was making castings for 400 railway cars for the Grand Trunk. Every industry in Montreal is fully occupied. No man stands higher to-day in Montreal than the Finance Minister; he is the most popular man in the city. I hope the policy he has inaugurated will be continued ten years, when we will see this country prosperous.

MR. MACKENZIE: It is very clear that the hon. gentleman who has just spoken has the best possible reason for cottoning to the Government.

MR. GAULT: I have stock in every industry in Montreal, besides the cotton, that yields a profit. I am not like hon. gentlemen on the Opposition side, many of whom boast that they do not hold a share of stock in the Dominion.

Motion *agreed to* on a division.

Motion *made* and question *proposed*:

"10. That any Bills for the better organisation of the Civil Service, for the consolidation of the Inland Revenue laws, and for the amendment of the Acts relating to the Dominion lands, to the Public Works, to the Indians of the North-West, and to the Mounted Police Force, which His Excellency may cause to be laid before us, shall receive our most careful consideration.

MR. MILLS.

"11. That we are aware that the Acts incorporating the Banks of the Dominion will expire next year, and that we agree with His Excellency that the present would seem a favourable time for a full consideration of our Banking system and of the subject of the currency as connected with that system."

Motions agreed to on a division.

Motion made and question proposed :

"12. That the subject of the laws relating to Insolvency will undoubtedly engage our attention."

MR. PATERSON (South Brant) : I desire to say a word in reference to that point. It seems evident from the remarks of the mover of these resolutions—I suppose those remarks were in a measure somewhat inspired; and the allusion in the Speech being very vague, we are forced to accept his remarks as to the probable action of the Government and wait—from that it would appear that the intention is to allow a Repeal Bill to pass. All I have to suggest or ask in the interests of the country is that they will facilitate in every way the passing of the Repeal Bill, if such is their intention, as it is very desirable, if that course is determined upon, that it should be done as quickly as possible, in order that we may not have a very large crop of insolvencies before it takes place.

Motion agreed to.

Motion made and question proposed :

"13. That we know that the increasing foreign trade of Canada and the prospect that Her Majesty's Government will enter ere long into negotiations with foreign nations on the subject of their trade and commercial relations, demand our closest attention and watchfulness, while the rapid development of the Dominion is continually giving rise to important matters requiring the support and action of the Imperial Government, and that we are therefore ready to consider the recommendation of His Excellency, with the concurrence of Her Majesty, to sanction the appointment of a permanent representative of Canada in London to guard her various interests."

Motion agreed to on a division.

Motion made and question proposed :

"14. That we feel deeply the great importance of the subjects His Excellency has mentioned, and are grateful to him for the full confidence in our wisdom and patriotism with which he is pleased to say that he commends them to our best consideration."

Motion agreed to.

Ordered, That the said Resolution be referred to a Select Committee, composed of Sir

S. L. Tilley, Sir Charles Tupper, Mr. Langevin, and Messrs. Richey and Houde, to draft an Address pursuant thereto.—(Sir Samuel L. Tilley.)

SIR SAMUEL L. TILLEY, from the Committee, reported the draft of an address which was read the second time and agreed to. (To be presented by Privy Councillors.)

#### SUPPLY.

Resolved That this House will, on Friday next, resolve itself into a Committee, to consider of a Supply to be granted to Her Majesty.—(Sir Samuel L. Tilley.)

#### WAYS AND MEANS.

Resolved, That this House will, on Friday next, resolve itself into a Committee, to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.—(Sir Samuel L. Tilley.)

#### REPORTS.

SIR SAMUEL L. TILLEY laid before the House,—The Public Accounts of Canada, for the fiscal year, ended 30th June, 1879; also,—Report of the Auditor-General on Appropriation Accounts for the year ended 30th June, 1879; also,—Statement of expenditure charged to Unforeseen Expenses, under Orders in Council, from the 1st July, 1879, to date, in accordance with the Act 42 Victoria, Chapter 1, Schedule B; also,—Statement of Governor-General's warrants issued in fiscal year, 1879-80, under authority of the Act 41 Victoria, Chapter 7, Section 32.

MR. BOWELL laid before the House,—Tables of the Trade and Navigation of the Dominion of Canada, for the fiscal year ended 30th June, 1879.

House adjourned at

Ten minutes after

Ten o'clock.

#### HOUSE OF COMMONS.

Monday, 16th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

#### REPORTS.

MR. O'CONNOR laid before the House,—Report of the Postmaster General, for the year ended 30th June, 1879.

MR. LANGEVIN laid before the House,—Annual Report of the Minister of Public Works of the Dominion of Canada, for the fiscal year 1st July, 1878, to the 30th June, 1879.

MR. MASSON laid before the House,—Report on the state of the Militia of the Dominion of Canada, for the year 1879.

MR. POPE (Queen's, P.E.I.) laid before the House,—Twelfth Annual Report of the Department of Marine and Fisheries, being for the fiscal year ended 30th June, 1879.

MR. MACDONALD (Pictou), laid before the House,—Report of the Minister of Justice as to Penitentiaries in Canada, for the year ended 30th June, 1879.

MR. BABY laid before the House,—Report, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended 30th June, 1879.

#### BILLS INTRODUCED.

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

Bill (No. 2) To repeal the Acts respecting Insolvency now in force in Canada.—(*Mr. Colby.*)

Bill (No. 3) To repeal the Acts respecting Insolvency now in force in the Dominion.—(*Mr. Bechard.*)

Bill (No. 5) to legalise the marriage with the sister of a deceased wife.—(*Mr. Girouard, Jacques Cartier.*)

#### PETROLEUM INSPECTION LAW AMENDMENT BILL.

(*Mr. Colby.*)

#### FIRST READING.

MR. COLBY introduced a Bill (No. 4) To amend the law regulating the inspection of petroleum and the products thereof.

MR. MACKENZIE: Will the hon. member explain what he proposes in this Bill?

MR. COLBY: The object of the amendment is simply to change that portion of the law which affects the "foreign" test of petroleum. In the law as it now stands, there are two tests, one for domestic, and the other for foreign oil. It is touching that point.

MR. ANGLIN: The hon. member does not say in what direction.

MR. LANGEVIN.

MR. COLBY: In the direction of uniformity and safety.

Bill read the first time.

#### CONTROVERTED ELECTION.

##### JUDGE'S REPORT.

MR. SPEAKER informed the House that he had received from one of the Judges selected for the trial of Election Petitions, pursuant to the Controverted Elections Act, 1874, a judgment in the matter of the Controverted Election for the Electoral District of Richelieu, declaring the sitting Member duly elected.

#### PRIVILEGES OF THE HOUSE—JOHN A. MACDONELL.

##### ORDER FOR ATTENDANCE MADE.

SIR JOHN A. MACDONALD moved that the Journals of the 12th and 13th May, 1879, be read.

Motion agreed to and Journals read accordingly.

MR. SPEAKER informed the House that, in obedience to the order passed on the 12th May, 1879, he had issued his summons for the attendance of John A. Macdonell at the Bar of this House, and that he had received from H. Vincent Green, an affidavit, setting forth that, on the 15th May, 1879, he personally served the said John A. Macdonell, with a copy of the said summons.

SIR JOHN A. MACDONALD: Mr. Speaker, we remember that last Session the motion which I made was made on May 12th, the House was prorogued two days afterwards—the 15th—on which day you, Mr. Speaker, acquainted the House that you in obedience with the order of the House had issued a summons for the attendance of Mr. John A. Macdonell at the bar of this House, and that you had received an affidavit that a copy of the summons had been personally served on Mr. Macdonell. Now, Sir, I move that Mr. John A. Macdonell be summoned to attend at the bar of this House on to-morrow week.

Motion agreed to.

#### REMOVAL OF THE LATE LIEUTENANT-GOVERNOR OF QUEBEC.

##### MESSAGE FROM HIS EXCELLENCY.

SIR JOHN A. MACDONALD deliv-

ered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“The Governor General transmits to the House of Commons under the provisions of the 59th Clause of the British North America Act, 1867, a copy of an order of the Honourable the Privy Council, dated the 25th July, 1879, containing the cause assigned for the removal of the Hon. Luc Letellier de St. Just, from his office of Lieutenant-Governor of the Province of Quebec.

“GOVERNMENT HOUSE,  
“OTTAWA, 16th February, 1880.”

MR. MACKENZIE: I would like to ask the hon. gentleman at the head of the Government if he will bring down, without any motion, all the papers relating to Mr. Letellier's case. There was a despatch published during the recess, one from here and one from England, which I think have not yet appeared among our papers.

SIR JOHN A. MACDONALD: Certainly. There is no necessity for a motion. I will have all the papers brought down connected with the case.

#### NEW MEMBER INTRODUCED.

MR. SPEAKER informed the House, that he had received a certificate of the Returning Officer at the last election for the Electoral District of Argenteuil, that the Hon. John J. C. Abbott was duly elected for the said Electoral District.

The Hon. JOHN J. C. ABBOTT, member for the Electoral District of Argenteuil, having previously taken the oath according to law, and subscribed the roll containing the same, took his seat in the House.

SIR JOHN A. MACDONALD: I ought to move at this moment that this shall not be taken as a precedent as the return has not yet arrived.

MR. MACKENZIE: Has the hon. gentleman brought his indenture, or the certificate of the Returning Officer with him?

SIR JOHN A. MACDONALD: There is no indenture now. He has the certificate of the returning-officer.

MR. MACKENZIE: He must have one or the other.

*Resolved*, That, in admitting the Hon. John J. C. Abbott, elected to represent the Electoral District of Argenteuil, to take his seat upon the certificate of the Returning Officer; this House still recommends a strict adherence to the practice of requiring the production of the usual certificate of the Clerk of the Crown in Chancery of the return to the writ of election.—(Sir John A. Macdonald.)

#### AID TO THE ONTARIO PACIFIC JUNCTION RAILWAY.

##### QUESTION.

MR. COCKBURN (Muskoka) enquired, Whether it is the intention of the Government to aid, by way of a subsidy or otherwise, the construction of the Ontario Pacific Junction Railway between Gravenhurst and some point on the line of the Canada Central or Canada Pacific Railways.

SIR CHARLES TUPPER: I am very much afraid it will not be in the power of the Government to give the desired aid to the railway in question.

#### CONSTITUTIONALITY OF THE TEMPERANCE ACT, 1878.

##### QUESTION.

MR. ROSS (West Middlesex) enquired, Whether the Government have engaged counsel to argue the constitutionality of the Temperance Act of 1878 before the Supreme Court; and if so, when.

MR. McDONALD (Pictou): The Government here engaged counsel in that case. Counsel were retained on 17th January last.

MR. ROSS (West Middlesex): I desire permission to add the words “and whom.”

MR. McDONALD (Pictou): Mr. Christopher Robinson on the one hand, and Mr. Lash, Deputy Minister of Justice, on the other.

#### CANADIAN PACIFIC RAILWAY—BRITISH COLUMBIA CONTRACTS.

##### QUESTION.

MR. BLAKE enquired, Whether the contracts for the construction of 127 miles of Railway in British Columbia have been executed by both the Government and the contractors: and, if so, on what day: whether such contracts will be laid on the Table at an early day; and whether

they or any of them are made subject to the sanction of the House.

SIR CHARLES TUPPER: I beg to say, in reply, that contracts have been entered into for the construction of the 127 miles of Railway in British Columbia. They have been executed both by the Government and the contractors. I do not remember for the moment the day on which they were executed, but that will appear upon the copies of the contracts themselves, that will be laid on the Table, I presume before the House rises to-day. They are not made subject to the sanction of the House, but are executed under the authority given last Session.

PERMANENT REPRESENTATIVE OF CANADA IN LONDON.

QUESTION.

MR. BLAKE enquired, Whether there is any correspondence with the Imperial Government on the subject of the appointment of a permanent representative of Canada in London; and whether any such correspondence will be laid on the Table at an early day.

SIR JOHN A. MACDONALD: There is correspondence on this subject. That correspondence is not yet completed, but I believe it will be completed at an early date. As soon as it is completed, it will be laid before the House.

PARLIAMENTARY PRINTING CONTRACTS.

QUESTION.

MR. BLAKE enquired, Whether, in view of the recent developments as to the practices by which the contract for the printing of Parliament was procured, the Government intend to propose to Parliament any steps to remedy the injurious consequences to the public of such practices in the present instance, and to prevent their repetition in the future.

SIR JOHN A. MACDONALD: It is the intention of the Government to ask for the reappointment of the House of Commons members of the Printing Committee of last year; and a motion will be made in this House instructing them to press upon the Joint Committee the necessity of enquiring into the recent developments—to use the language of the question—and report upon the best means

MR. BLAKE.

of avoiding a repetition of such developments in the future.

BOUNDARY BETWEEN CANADA AND ONTARIO.

QUESTION.

MR. BLAKE enquired, Whether it is the intention of the Government during the present Session to propose a measure ratifying the award on the subject of the boundary between Canada and Ontario.

SIR JOHN A. MACDONALD: It is not the intention of the Government to propose any such measure.

CANADIAN PACIFIC RAILWAY—GEORGIAN BAY BRANCH.

MOTION FOR ORDERS IN COUNCIL.

MR. COCKBURN (Muskoka): Mr. Speaker, the change of policy on the part of the Government since last Session with reference to the Georgian Bay Branch of the Pacific Railway must be my justification for proposing the motion which I am about to make. This change of policy I believe has entailed serious consequences not only upon the country at large, but upon my constituency in particular, a county which embraces a territory nearly one hundred and twenty miles in length by nearly sixty miles in breadth. It will be in the recollection of most hon. gentlemen that a contract was let to Messrs. Charlebois and Company, on the 2nd August, 1878, for the construction of fifty miles of railway on the south-west side of Lake Nipissing, forming a link between the western terminus of the Canada Central Railway and a point on French River. The road was to be completed on the 1st July, 1880. The contract price for all the work, including track-laying, was \$809,813, or at the rate of \$16,180 per mile, a very moderate price indeed. With the accession to power of the present Government, it was feared by many that this project would be discontinued, particularly as the chief organ of the Government foreshadowed some such policy; but, as the present Government took a vote of \$800,000 last Session and allowed the contractors to put up store-houses along the line, and to fill them with supplies and appliances at an enormous cost, and to employ a large force in clearing out the entire line, to purchase railway ties,

etc., it was not to be wondered then that parties placed full reliance upon the faith of the Government to carry out the scheme. The consequence was that large numbers of people, at much inconvenience and expense to themselves, emigrated to the country adjacent to the proposed line, bringing with them their wives and children, expecting to derive a subsistence either directly or indirectly from the construction of this work, only to be disappointed by the untimely and abrupt stoppage of the construction of the road by the Government. It may be urged that these circumstances are of little importance to the public interest, but I propose to go further and show that a great waste of money must have inevitably taken place, in recompensing the contractors for their losses for work done, and for transporting their supplies to and from the work. It may be that the claims of the contractors will amount to nearly sufficient to have completed the work, and, on the score of policy alone, I fear a grave error has been committed, and I believe further that an error of judgment has also been committed in the abandonment of this project and the substitution of another. To those who object to the building of branch lines as part of the Canadian Pacific Railway, I can show that the Georgian Bay Branch would have served as part of the main line to Sault Ste. Marie or on to Lake Superior. The crossing of the French River according to the engineers' reports presented no great difficulties; as by one route the widest channel or branch is 250 feet, and by the other the widest place is only 200 feet, and it has already been shown that the fifty miles of railway was not costly or the gradients heavy. I have noticed in one of the reports that a sum of \$1,900,000 would secure the construction of the railway fully equipped with rolling stock, and navigation to Lake Huron. I think this ought to have been a matter worthy of more consideration than it appears to have received at the hands of the Government. I have observed a suggestion in another report as to the advisableness of constructing a territorial road from South-East Bay of Lake Nipissing, which is supposed to be the terminus of the Canada Central Railway, to the head of Lake Superior, and that such a road might

be constructed from the funds originally intended for the construction of the Georgian Bay Branch. I strongly protest against this scheme for two good reasons: first, I have no faith in the utility of the territorial or wagon road; experience has shown that roads constructed through a wilderness are speedily covered with a thick growth of tall young trees; and, in the second place, I protest against the grant of the money for the Georgian Bay Branch being used for purposes other than for the original scheme, or to aid the construction of the Ontario Pacific Junction Railway or some such scheme. I am sorry to hear the Minister of Railways and Canals say that the Government do not intend to assist the Ontario system of railways to connect with the Pacific Railway. I now beg to move that a humble Address be presented to His Excellency the Governor-General, for copies of Orders in Council and correspondence which led to the postponement or abandonment of the Georgian Bay Branch of the Canadian Pacific Railway, and copies of all claims preferred by the late contractors for compensation in connection with the suspension of their work, and a statement showing what settlement or arrangement, if any, has been made with the contractors; also, copies of reports of engineers respecting the several routes in the vicinity of Lake Nipissing.

SIR CHARLES TUPPER: There is no objection to the motion of the hon. member for Muskoka. The papers will, all of them I expect, be laid upon the Table of the House in a short time, and probably it would be more convenient to take any discussion in relation to the papers when the papers are brought forward. They will be given at an early day.

Motion agreed to.

#### COTEAU DU LAC RAILWAY BRIDGE.

##### MOTION FOR REPORTS.

MR. MACKENZIE moved: that an Address be presented to His Excellency the Governor-General for copies of the reports of C. S. Gzowski, Esquire, or other engineers on the subject of bridging the River St. Lawrence near Coteau du Lac; and also for all correspondence be-



tween the Government and any parties relating to such bridge; and also for all Orders in Council and other papers concerning the same. He said: this question was brought before the Railway Committee last Session, and also before this House, and there was a very strong opinion expressed in favour of bridging the river at the point referred to. The evidence of several engineers was then taken upon the subject, notably the opinion of Mr. Walter Shanly. The Government promised to have the matter examined into and reported on immediately; but I am not aware that any decision has yet been given on the subject. It appears, however, from the newspapers that a gentleman was appointed to make the examination. I refer to Mr. Gzowski, whose engineering qualifications cannot, I am inclined to think, be placed nearly so high as those of Mr. Shanly and Mr. Page. He is not a Civil Engineer of celebrity so far as I am aware of; he has been entrusted with the construction of no great works, except that he had the building of the Intercolonial Bridge at Buffalo, as a contractor; and I do not think that there is anything in his engineering qualities that places him in advance of the gentlemen I have mentioned. My own conviction last year was, and my own conviction now is, that there is no valid objection to building the bridge across the St. Lawrence at the place mentioned. I have to object to the report made, as it overlooks many important facts that have a great bearing on this question. We know, for instance, that there are no less than eleven bridges across the Mississippi—at least I am so informed—the greatest river highway on the continent; we know that the same gentleman, Colonel Gzowski, built a bridge over the St. Lawrence at Buffalo where there is ten times the traffic that will pass below the proposed bridge at Coteau du Lac. The evidences are all in favour of the construction of that work. As a Canadian, I would not personally desire to place any serious obstruction on the St. Lawrence by bridging, but I feel bound to say that transportation by rail has become as great as by water, railways have so gained upon public esteem and public utility in the transportation of merchandise that we cannot look upon a possible obstruction, to some extent, of the St. Lawrence as a seri-

ous thing, to afford facilities for railway traffic. I am satisfied, from my local knowledge and otherwise, that it would not be any serious obstruction in this place, and I hoped the result of enquiry would show that the Government would so decide. It was proposed to connect the Ottawa and Coteau Railroad with the railroads now built or being constructed in the Ottawa Valley and through the centre of Ontario, and a large proportion of the opposition to it came from the Grand Trunk Railway Company, an institution with which Mr. Gzowski is in intimate connection. I move for the papers in order that we may as soon as possible have the views of the Government expressed, and I hope that any Order in Council that may be adopted and any document not expressly called for by this motion but which may relate to this question will not be objected to be produced by the hon. the Minister, and will be laid upon the Table of the House.

SIR CHARLES TUPPER: The papers are not voluminous, and they will be laid on Table of the House at an early day. I may say that there was a very great diversity of opinion on the question under consideration not only among the members of the Railway Committee, but also among engineers of very high standing, who were called to give evidence before that Committee. The hon. gentleman opposite knows very well that a gentleman in whom he has very great confidence, a gentleman in whom I myself place great confidence, and in whom the House would be disposed to place great confidence, Mr. Page, the Chief Engineer of Canada, entertained an opinion adverse to the construction of the bridge. On the other hand, Mr. Walter Shanly, a gentleman of high standing, entertained a strong opinion in opposition to that of Mr. Page; and, in consequence of this conflict of opinion—their opinions being all entitled to great weight—it was finally resolved, and the Government found it necessary, to obtain further assistance in the solution of this question. The Government, in fact, pledged itself to the Committee that they would obtain the services of some other able engineer, and, after due examination and investigation of this question, decide what the interests of the country demanded. Now a good deal of difficulty was found in fixing upon an

engineer who possessed the confidence of the Government, and who would be at the same time acceptable to the promoters of this enterprise; and Col. Gzowski was selected, not only because he would be able to give an independent and impartial opinion, but because he was found to be acceptable to the promoters of the enterprise. The matter was referred to him, and I have heard with some little surprise from the leader of the Opposition that Col. Gzowski is not an engineer. But I believe that the people of this country have regarded Col. Gzowski as an engineer possessing qualifications of a high degree. The very fact that he was equal to the work of constructing the International Bridge at Buffalo, to which the hon. member has referred, is a proof of his capacity as a hydraulic engineer of high standing. At all events, the selection was made in the belief that he was able to give a valuable opinion in relation to the matter. The hon. gentleman must remember that, in the main, on the important point connected with this question, Col. Gzowski concurred with Mr. Page, for whose opinion the hon. member expresses the greatest respect. Under the circumstances, the Government felt it impossible to disregard the statements contained in Col. Gzowski's report, which commended themselves to their judgment as judicious, and no time was lost in adopting the report and placing it in the hands of the promoters of this enterprise. The Government had less hesitation in adopting the report of Col. Gzowski, because he pointed out that the construction of such a bridge as alone, was admissible across the St. Lawrence at the point in question could not but be attended with such great expense as to prevent it being carried out. He stated it as his opinion that the additional cost of constructing a high level bridge would be very insignificant if any at all, taking into account the maintenance of a draw, and there would be no difficulty in avoiding all the principal objections to the bridging of the St. Lawrence at that point by adopting that course. Under these circumstances, the Government adopted the report and the opinions which Colonel Gzowski arrived at in connection with this question, and at once communicated with the promoters of this that work, under the circumstances, they

could not permit the construction of a swing bridge at that point, but that a bridge such as was indicated would be allowed to be constructed, the plans and location first having received the approval of the Governor-General in Council.

MR. ANGLIN: It seems to be admitted that what the papers all through the Dominion have published is a correct copy of the report of Colonel Gzowski in this matter. If so, I may say that it contains some very curious statements. It seems to me to go the length of condemning the construction of a bridge of any character at that particular place, although, after having proved to his entire satisfaction, apparently, that no bridge ought to be constructed there, Colonel Gzowski comes, strangely enough, to the conclusion that it will be safe to erect a high-level bridge. He states, amongst other things, that one objection to the proposed bridge is that the piers come close upon the steamboat channel, where that channel is tortuous, that the stream is very rapid and steamers passing down are consequently managed with difficulty. He further states that the line of the current at that particular spot does not run according to the line of the piers of the bridge and his whole argument leads inevitably to the conclusion that a steamer going down through the bridge—whether it be a high or a low level bridge—must be in great danger, indeed, of coming into collision with the piers. As it must be necessary to make the piers for a high level bridge much wider and stronger than the piers for a low level bridge, the danger of such a collision must be materially increased if the bridge be built at a high level. Notwithstanding all that, Colonel Gzowski comes to what seems to be a strange and extraordinary conclusion—that a high level bridge may be built there. The chief objection to the low level bridge is that, from Coteau Landing, where steamers touch, the distance is but four thousand feet, and that, while a steamer is making that short distance, where the current runs at the rate of six knots an hour and the steamer herself must be running at a high rate of speed, it will be difficult or almost impossible for those in charge of the bridge to have the swing open in time. But it seems to me that it would be a very easy matter indeed to make regulations that the swing must

be open before the steamer leaves Coteau Landing at all. From Coteau Landing she could very easily signal those in charge of the bridge, and those in charge may be bound to open the swing immediately, under pain of a severe penalty for neglecting to open it within a proper time. But there is no necessity whatever that a steamer should leave Coteau Landing at all for the purpose of passing through the bridge until the swing is first opened. The delay in any case must be very trifling. Colonel Gzowski, I think, in that strange report of his, goes into the commercial question, a matter with which he had nothing whatever to do, unless indeed he acted in this according to the instructions sent to him. But he does undertake to deal with it, and his conclusions on this matter are as lame as those on the other. I understand he is a gentleman of high reputation as an engineer and otherwise, and I do not pretend to say that he did not report exactly what he believes. I confess I do not think it is a report sufficient at all events to justify either the Government or this Parliament in refusing a charter to those who ask for the construction of the bridge if there is nothing else to prevent the granting of it. There are other questions raised of great importance and it is not necessary now to say whether they should induce us to refuse the charter or not, but I must say that, having read over the report carefully, and given it much consideration, I was forced to the conclusion that it did not justify the Government in refusing permission for the construction of a low level bridge.

MR. MACKENZIE: The hon. the Minister of Public Works refers to Mr. Page's report, and calls my attention to the fact, as he says, that Mr. Page's opinion and Colonel Gzowski's coincide.

SIR CHARLES TUPPER: On the main point.

MR. MACKENZIE: No, I think not. I think the hon. gentleman is under a mistake. Mr. Page's whole objection to it was not the high or the low level, but that the piers would cause a rise in the water. Mr. Gzowski never touches that point, and that was the sole point that caused the Railway Committee any difficulty in giving an opinion. It was not whether traffic would be seriously impeded, but whether the channel would be so affected, and the adjacent country so

affected by the rising of the water as to impose a large amount of damages upon the country in consequence. Now, Mr. Gzowski has carefully avoided, as far as I can see, any reference to that point. I only received his report half an hour ago, but, from my hurried reading of it, there is nothing in it that contradicts or is opposed to Mr. Shanly's conclusions in that respect.

SIR CHARLES TUPPER: But he has not touched that point at all.

MR. MACKENZIE: No, but that is the sole point which was to decide the policy of building a bridge he had nothing to do with. He dealt simply with the engineering difficulties, and the great point of controversy between Mr. Page and Mr. Shanly, and I think Mr. Keefer, was whether the water would rise in consequence of the piers being built in a certain position. There is no man in America in whose judgment I have more confidence than Mr. Page, but I was compelled to differ from him on that occasion, as I could not see that there was evidence enough to justify us in believing that the water would be seriously raised in consequence of piers being built in the shallow part of the river, or that the flood of water would be seriously affected thereby. There is another point that Col. Gzowski fails to touch, and a very important point. He says a high level bridge will not be so serious an inconvenience as to cost, when compared with a low level bridge, after deducting the expense of maintenance of a bridge which is to be opened or shut when vessels or trains approach. But there is another point he has not touched upon—it would necessitate a very serious grade, and what we have to contend with principally in the construction of our roads is the difficulty of obtaining a proper grade. Now, as an instance of what a grade will effect in promoting the prosperity of roads let me mention one fact, that the largest train that can be taken by the most powerful engine on the Intercolonial Railway is twenty loaded cars, while, on the Canada Southern, where the grades are extremely favourable, every engine takes from 40 to 45 loaded cars over it, thus reducing the cost of transportation immensely. Now, if the construction of a high level bridge at this point necessitates,

as it must necessitate, a very steep grade, probably not less than from 50 ft. to 60 ft. per mile, it would be a most serious obstruction, and one that, apart from all other considerations, must so prejudicially affect the flow of traffic on the road as to make it non-paying, when otherwise it would yield some revenue. Now, we are not, in this House, or in the Railway Committee, to be controlled in such matters by the agency, or influence, or interests of another railway corporation. There is no doubt of this, that the Grand Trunk Railway Company have been great opponents of this scheme. I believe that, when our means of communication are completed throughout the west, there will be abundance of room for two great lines running eastward. Another objection was urged in committee by certain gentlemen, that this line would pass into the United States, but that need not be dwelt upon, because the Grand Trunk also passes into the United States, and the bulk of its traffic goes to a United States port. All we have to consider is simply what is best for the interests of Canada. What are the interests which will be sacrificed by the Government insisting upon a high level bridge, when one is not necessary, and what will be most profitable to those who seek another highway to the sea by the easiest and best possible route? I have to complain of this report being somewhat disingenuous also. Mr. Gzowski quotes the authority of Major-General Warren, United States Topographical Engineer, upon the question of bridging the Mississippi, but he forgets to tell us that General Warren's opinion did not prevail, that other engineering opinions were wholly against his, and that, at this moment, there are no less than eleven low level bridges suspended across the Mississippi, and that there are charters in existence for bridges over the St. Lawrence at several other points, and that one bridge is actually built. While every public convenience seems to point to the necessity of having this bridge, it is objected to wholly in the interests of the Grand Trunk Railway and all those who are interested in seeing the traffic continue to follow that route. That is what I seriously object to. The thing has not been treated upon its merits. There is no man in Canada who personally commands more respect from

myself, as from every person else, I think, than Mr. Gzowski, but I maintain that there is no reason to believe that his engineering abilities are such as would qualify him in being selected to give an opinion which would be superior to others mentioned, or justify the Government in selecting him as an arbiter to decide upon this point, upon which Mr. Shanly gives such decided evidence, and which Mr. Page did not oppose.

Motion agreed to.

#### CARILLON WORKS CONTRACT.

##### MOTION TO PRINT.

MR. MACKENZIE moved that the return of last Session relative to the Contract of R. P. Cook and Co., on the Carillon Works be printed. He said: Last Session a return was brought down, and two small papers containing a report of two engineers upon a part of the contract were not printed. As there is no Committee at present appointed, I make this motion.

SIR CHARLES TUPPER: I am afraid it is hardly competent for this House to pass the motion. I think the hon. member will bear me out in my recollection that the practice has been not to press a motion, the printing of which involves public expenditure, until the matter has been reported to the Printing Committee.

MR. MACKENZIE: But there is no Printing Committee to send it to, and there will not be for some days.

SIR CHARLES TUPPER: I am extremely anxious that these papers should be printed, but I do not see how we can depart from the precedent, and to pass the motion involves expenditure.

Motion, with leave of the House, withdrawn.

#### CANADIAN PACIFIC RAILWAY ROUTE.

##### MOTION FOR REPORTS.

MR. MACKENZIE moved for an Address to His Excellency the Governor General for copies of all reports made since the first day of March, 1879, respecting any portion of the route or proposed route of the Pacific Railway; also, reports of explorations of any portion of the country between the neighbourhood of Fort Pelly and the Pacific Ocean *via* the Peace River Valley or Pine River Pass, with copies of

all Orders in Council respecting such explorations or the adoption of the route of the said Pacific Railway; and also, copies of all correspondence relating to the same.

SIR CHARLES TUPPER: I have no objection to the adoption of this motion, but it will take some little time to lay before the House all that is mentioned in this motion; but no time will be lost.

MR. MACKENZIE: I would observe, in regard to time, that it took very little time for the hon. gentleman to change his opinion in regard to adopting my route, the Burrard Inlet route, and I cannot conceive that the documents can be long when he was able to read them in so short a time.

SIR CHARLES TUPPER: I am sorry to find the memory of the hon. member so defective. I should like him to indicate when he learned that I changed my opinion as to the adoption of the Burrard Inlet route. The hon. gentleman's impression is entirely erroneous. Last Session, I frankly stated that, if compelled to adopt any one of the routes for the Canada Pacific Railway, in the light of all the information I then possessed, I would adopt the Burrard Inlet. The hon. gentleman is therefore quite under a misapprehension in saying I changed my mind on the subject. With reference to the intimation that some little time would be required, a considerable portion of information was covered by those papers that does not necessary require to come under the observation of the Government, in the determination of the route through the Rocky Mountains; and the reports of those explorations that have been somewhat extended are now in course of preparation. It was because we wanted to present them as fully and carefully as possible that I said some little time would pass before the House would receive all that is covered by this resolution. I shall be very glad to give the additional information in the Report of Mr. Marcus Smith upon the recent explorations, surveys and locations from the western boundary of Manitoba to the valley of—

MR. MACKENZIE: I was under the impression that the hon. gentleman had asked this House to vote that to select the Burrard Inlet route would be premature.

SIR CHARLES TUPPER: I did not do so.

MR. MACKENZIE.

MR. MACKENZIE: He was very anxious to condemn our selection of it.

SIR CHARLES TUPPER: I was not.

MR. MACKENZIE: The hon. gentleman could not have been in possession of very detailed information at the time he gave expression to a new opinion—though he says he did not change it. He could only have had a telegraphic message from Edmonton. It was impossible, when the change took place, when our policy was reverted to, that he could have had detailed reports of the engineers, or they showed an expedition never known to me in traversing that country. The hon. member for Victoria (Mr. DeCosmos) has suggested to me that it would be desirable to add the following words:—"Also, copies of all reports made by Capt. Brundage, upon Port Simpson, and the navigation of Dixon's Entrance."

SIR CHARLES TUPPER: I shall be very glad to furnish the additional information desired. I wanted it declared last Session that the location was premature, giving as a reason the desirability of further information touching the Pine River Pass and the more northerly route. The location of the route which I, upon all the information possessed, approved of, was adopted after we received sufficient detailed information from the engineering party which had come through from Fort Simpson to Edmonton. I do not mean to say that, if we had not been bound by the pledge given to the House to take action during the past season, we would not have awaited still more detailed information. But that information was sufficiently accurate to remove any doubt in the minds of the Government as to the advisableness of adopting the Burrard Inlet route. When in possession of it, we lost no time in endeavouring to keep faith with the House in relation to the question.

MR. DECOSMOS: I asked the hon. member for Lambton to amend his motion as proposed. If it produces no better result than the publication of the report of a special and most careful survey of that part of Port Simpson and the adjacent waters to the entrance, I believe it will be of great advantage; for, hitherto, there has been no survey of that locality. It will be of material advantage. True, Port Simpson has been surveyed, but, beyond

the headland, nothing whatever has been done.

SIR CHARLES TUPPER: This subject will be embraced in the reports, all of which will be brought down.

MR. ANGLIN: If I understand the Minister of Railways rightly, I have been labouring under a misapprehension. I understood, from reports in the public papers, that a special surveying party was sent out to examine the country in the Peace River District, and ascertain whether that would be the better route for the Railway. I think I now understand that he has received its report. I was under the impression that, if he had received any report, when the Government decided in favour of the Burrard Inlet route it was a report from a number of gentlemen who, starting from the Pacific coast, made their way through the western country, and arrived in this part of the Dominion long before I supposed it would be possible to receive anything like a valuable report from a surveying party sent out to make an examination. I would like to know if one of the reports was received from a party of tourists, including a reverend gentlemen of this city—if in fact that party was not sent out to make a report.

SIR CHARLES TUPPER: The hon. gentleman is entirely under a misapprehension in this matter. Our information is not from a party of tourists, but from some of the ablest engineers in the Government service, Messrs. Cambie and McLeod. Rev. Mr. Gordon accompanied them, being anxious to visit the country in the capacity of a tourist. I dare say he acted to some extent as secretary for those gentlemen, but the report was that of Messrs. Cambie and McLeod. We had their opinions and report before us before the adoption of the Burrard Inlet Route.

Motion, as amended, *agreed to*.

#### NEGOTIATIONS WITH FRANCE AND SPAIN.

##### MOTION FOR INSTRUCTIONS.

MR. MACKENZIE moved for an Address to His Excellency the Governor-General for copies of all instructions given to Canadian Commissioners respecting negotiations with France and Spain, with copies of documents conveying Her Majesty's sanction of such negotiations,

and all correspondence with the Imperial Government on the subject. Also, for a statement showing in detail the several amounts paid to Canadian Commissioners or others in connection with such negotiations, with the names of the recipients and the nature of the services rendered. Also, for copies of all reports made by such Commissioners, or any other documents which will show the progress made with such negotiations. He said: We are informed in the Speech from the Throne that the negotiations in question had the sanction of Her Majesty. We were informed last Session that we would have the first report of the Commissioners down before the House rose last spring, and I hope the hon. gentleman at the head of the Government will see that it is laid on the Table at as early a date as possible. These are papers which will be essential to our discussion of financial and trade questions when they come up.

SIR SAMUEL L. TILLEY: There can be no objection to bringing down these papers, and they will be submitted at a very early date. The correspondence relative to the trade with France was prepared, and we hoped to have been in a position to have laid it before the House at the close of last Session, but there was some confidential correspondence which formed a part of it, between the Minister at Paris and the British Government, which His Excellency the Governor-General was anxious to get permission to make public. It was delayed for that purpose. I think I laid the papers before the hon. the leader of the Opposition the last day of the Session in order that he might have an opportunity of perusing them. There will, however, be no delay in the matter.

MR. MACKENZIE: I desire to say a word in reference to the change of opinion upon this matter of the hon. the leader of the Government. The proposal that Canada should send envoys to foreign countries was denounced in this House. I ventured at that time to vote with Sir Alexander Galt, and when he was condemned by his associates on the other side of the House. I congratulate the hon. gentleman in coming thus far and in admitting that Canadians may possibly manage their own affairs, even in foreign trade.

Motion *agreed to*.

## DEPARTMENTAL PRINTING.

## MOTION FOR RETURN.

MR. ROSS (West Middlesex) moved for an Address to His Excellency the Governor-General, for a return showing copies of all advertisements calling for tenders for the Departmental printing, printing paper, and binding; the names of the newspapers in which such advertisements appeared, the specifications and quantities of the work to be performed, and copies of all tenders, correspondence and Orders in Council relating thereto, and contracts entered into.

MR. BOWELL: All the information asked for by this motion with the exception of the names of the newspapers in which the advertisements were inserted, will appear in the report of the Secretary of State, which, if not laid on the Table of the House to-day, can be at any time; and, if the information in regard to the names of the newspapers containing the advertisements is desired, that will be brought down also.

MR. ROSS: It is not material to have the names of the newspapers.

Motion, with leave of the House, *withdrawn*.

## NORTH-WEST TERRITORIES—IMPORTATION OF CATTLE.

## RESOLUTION PROPOSED.

MR. MILLS moved: That in the opinion of this House, it is desirable that the people of Manitoba and the North-West Territories be permitted to import cows and oxen from the United States. He said: We are all more or less interested in the progress of emigration, and hon. gentlemen opposite have expressed a desire to correct any mistakes that have been made. I am not asking for any change in the fiscal policy of the country by this motion, but an Order in Council was passed, prohibiting cattle being brought into Canada from the United States, and a similar order has been made by the American Government, in retaliation, thus preventing settlers in Manitoba and the North-West from carrying on their farming operations. I have had this matter brought before my notice by persons located there, both by correspondence, and by being personally called upon, and they have expressed their intention of going out next spring to Dakotah and

Mr. Ross.

Minnesota, unless they are allowed to go into the adjoining States to purchase their necessary supplies of oxen and cows to enable them to subsist. In a large measure they must subsist on their cattle until their crops are produced.

MR. POPE (Compton): I quite agree with the hon. gentleman that it is most important for the people of Manitoba and the North-West and British Columbia to be allowed to import from the United States, not only oxen and cows but bulls, and, looking at it in that light, when we passed the Order in Council, it was so framed that it did not apply to Manitoba, or British Columbia, or the North-West. Therefore, the people of those parts can import as many as they like, and consequently I presume that this motion may be withdrawn.

MR. MILLS: I merely stated the fact that persons have communicated this to me, both orally and in writing.

MR. POPE: If the officers of the Government have misrepresented this Order in Council, it is very much to be regretted.

MR. MILLS: It would be Mr. Bradley, of Emerson who made the misrepresentations.

MR. POPE: What he has represented is, that it is important that cattle from the United States should be allowed to go into the North-West free of duty. The hon. gentleman is mistaken as to the opinion Mr. Bradley entertains about this matter.

MR. RYAN (Marquette): The hon. member for Bothwell (Mr. Mills) said he did not desire that the Government should alter its fiscal policy. I think it would be as well if the Government could alter its fiscal policy. It would advance the interests of the emigrants to the North-West if they could be allowed to import cattle duty free; and I hope they will be allowed to do so.

MR. MILLS: If the Order in Council does not prohibit the importation of cattle into Manitoba and the North-West, I do not wish to press the motion, but representations have been made to me that they have been prohibited.

MR. POPE (Compton): If the hon. gentleman has information of that kind, the mistake shall not occur again; but I am sure, from my information from Mr. Bradley, that it is not so. If, however,

this has really taken place, he should be censured for it.

Motion, with leave of the House, *withdrawn*.

#### MOTIONS FOR RETURNS.

The following motions for Returns were severally *agreed to* :—

Address—Copies of all papers and Correspondence exchanged between the Government of Canada and the Imperial Government, in reference to the admission of cattle from the United States into Canada and from Canada into England, be laid upon the Table of The House.—(*Mr. Caron*.)

Address—Copies of all tenders for works on the Pacific Railway since January, 1879; copies of all tenders received, showing the names of all sureties, the nature of the deposit made as collateral security; and the names of the parties to allow any contracts have been awarded; also, copies of all Departmental reports respecting such tenders; Orders in Council and correspondence, not heretofore brought down.—(*Mr. Mackenzie*.)

Address—Copies of all tenders received in 1878, and subsequently, for the works on the Carillon Canal and Dam; also, for all Orders in Council awarding the contracts for such works; also, all Reports respecting such works from the Minister of Railways and Canals, or the Departmental Engineers, made since the Return brought down last Session; also, for copies of all Correspondence respecting the letting of such contracts as are now existing.—(*Mr. Mackenzie*.)

Order of the House—Return showing the expenses, in detail, incurred by the several Members of the Government, and any other person or persons in the service of the Government, or paid by the Government, sent to England or elsewhere, on behalf of the Government, or in the service of the Government, from the 1st day of November, 1878, to date.—(*Mr. Cameron, South Huron*.)

Address—Detailed statements showing: 1. All judgments rendered by the Supreme and Exchequer Courts in suits, from 8th October, 1875, to 1st January, 1880; 2. The names of all parties to each of such suits; 3. The amounts of debt or claim in each of such suits; 4. The amount of costs in each of such suits; 5. The date of commencement and termination of each of such suits; 6. The amount of fees paid to the Registrar of said Courts, from 8th October, 1875, to date of statement.—(*Mr. Keeler*.)

Order of the House—Return of the employes on that portion of the Intercolonial Railway extending from Rivière du Loup to Chaudière; also, the salaries they receive and the nationality to which they belong.—(*Mr. Grandbois*.)

Order of the House—Return showing the exports and imports, in detail, from and into the Dominion of Canada, during the six months ending the 1st day of January, 1880, and also for those during the six months ending the 1st day of January, 1879.—(*Sir Richard J. Cartwright*.)

Order of the House—Return showing the receipts and expenditure, in detail, of the Do-

minion of Canada, during the six months ending the 1st day of January, 1880; and also during the six months ending the 1st day of January, 1879.—(*Sir Richard J. Cartwright*.)

Order of the House—Return of all vessels carrying cargoes of tea direct from China and Japan, entered at any port of the Dominion of Canada, and at any port in the United States *in transitu* to Canada.—(*Sir Richard J. Cartwright*.)

Order of the House—Return showing a statement of the several sums of money on deposit to the credit of the Dominion of Canada, together with a list of the several banks in which the same are deposited; also, of all sums on deposit with the agents of the Dominion or any other parties in England, on the 1st day of December, 1879, and on the 1st day of February, 1880, showing the rate of interest then payable in each case.—(*Sir Richard J. Cartwright*.)

Order of the House—Return showing what drawback was allowed on goods manufactured in Canada in 1879, and exported; to whom paid, and description of goods.—(*Mr. Fleming*.)

Order of the House—Statement showing: 1. Abstract of expenditures compared with Estimates for the year 1878-9; 2. Unprovided items for the same period; 3. Balances of appropriations lapsed for the same period; 4. Balances carried forward for the same period; 5. General abstract of expenditure for the same period; to be prepared in the same form in which they have been formerly placed in the Public Accounts for several years past.—(*Sir Richard J. Cartwright*.)

Order of the House—Statement showing the principal classes of exports and imports, in detail, by Provinces, for the six months ending on the 1st January, 1880, and for the same period of 1879; showing also, the several countries to which and whence the said exports and imports have been exported or received; also, showing the several rates of duty levied thereon, and, in the case of non-dutiable goods, the several classes of goods composing the same.—(*Sir Richard J. Cartwright*.)

Order of the House—Statement showing the quantities of sugar entered at the principal ports of entry of Canada for the six months ending on 1st January, 1880, and for the same period of 1879.—(*Sir Richard J. Cartwright*.)

Order of the House—Statement showing the amount of securities bearing six per cent. payable in Canada outstanding on the 1st day of February, 1880.—(*Sir Richard J. Cartwright*.)

Order of the House—Return showing the terms on which the Dominion Loans, including the last loan of £3,000,000 *stg.*, were negotiated in London; together with the prospectus and form of tenders, the rates obtained for the said Loans, the commissions and all other expenses incurred in negotiating the same; and all correspondence between the Minister of Finance and the Agents of the Dominion, or any other parties respecting the same.—(*Sir Richard J. Cartwright*.)

#### CANADIAN PACIFIC RAILWAY.

##### CONTRACTS PRESENTED.

SIR CHARLES TUPPER laid before the House—the several articles of agree-



ment entered into between the contractors and Her Majesty Queen Victoria, represented by the Minister of Railways and Canals, in connection with the Canadian Pacific Railway.

#### SELECT STANDING COMMITTEES.

##### SPECIAL COMMITTEE APPOINTED.

*Resolved*, That a Special Committee of seven members be appointed to prepare and report, with all convenient speed, lists of members to compose the Select Standing Committees ordered by the House on the 12th instant, said Committee to be composed of Sir John A. Macdonald, Sir Leonard Tilley, Sir Charles Tupper, and Messrs. Masson, Mackenzie, Holton and Laurier.—(Sir John A. Macdonald.)

#### RELIEF OF THE DISTRESS IN IRELAND.

##### QUESTION.

MR. MACKENZIE: I would like to ask whether the Government have taken the steps they proposed to take to send whatever contribution is to be made to the Irish Relief Fund. I suggested on Friday evening that whatever is sent should be sent quickly, so that it may do the greatest amount of good.

SIR JOHN A. MACDONALD: It is the intention of the Government to adopt the precedent of the grant made by Parliament to the sufferers from the Crimean War. There will be a Message from the Governor-General calling the attention of the House to the matter, and specifying the sum. I shall then move for an Address from this House, and that will be communicated to the other House when adopted; it will be a joint Address.

House adjourned at

Ten minutes before

Five o'clock.

#### HOUSE OF COMMONS.

Tuesday, 17th February, 1880.

The Speaker took the Chair at Three o'clock.

#### PRAYERS.

#### BILLS INTRODUCED.

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

Bill (No. 6) To amend the Act respecting the Election of Members of the House of Commons.—(Mr. Bolduc.)

SIR CHARLES TUPPER:

Bill (No. 7) To consolidate and amend the Acts respecting the Inland Revenue.—(Mr. Baby.)

#### CANADIAN PACIFIC RAILWAY— IMPERIAL AID.

##### QUESTION.

MR. BLAKE enquired, Whether there is any correspondence between the Canadian and Imperial Governments, or any report showing the result of the resolution of last Session, whereby the Government was authorised and directed to use its best efforts to secure the cooperation of the Imperial Government, and to obtain further aid, by guarantee or otherwise, in the construction of the Pacific Railway, and whether any such correspondence or report will, at an early day, be laid before Parliament.

SIR JOHN A. MACDONALD: I beg leave to state that there has been a confidential communication made to the Right Hon. the Secretary of State for the Colonies, in writing, on the subject of Imperial aid for the construction of the Canadian Pacific Railway, which it is not in the interest of the public to lay before Parliament at present. But there is no report on the subject, and no aid has been promised by the Imperial Government.

##### A QUESTION OF PROCEDURE.

MR. MACKENZIE: Mr. Speaker, I desire again to call your attention to the matter to which I called it the other evening. You stated in your remarks then, that a Bill in a printed shape was put into your hands.

MR. SPEAKER: Not when I put the motion.

MR. MACKENZIE: No, but afterwards. The title of the Bill reads: "Act to repeal the Insolvency Laws now in force in the Dominion of Canada. Received and read the first time, Monday, 3rd March, 1879. Second reading, 17th March, 1879." Singularly enough, the name of Mr. Béchard is scored out and that of Mr. Colby put in its place.

MR. SPEAKER: It is not the same copy, I am sure, because someone called my attention to it. The hon. member asked me if it was a Bill of last Session. I looked at the back of the Bill and saw it was dated for this year, 1880.

MR. MACKENZIE: If you received a copy, of a reprinted Bill, it ought to have

been marked as printed in the Minutes, as the Clerk assures me that this Bill was sent to him.

MR. SPEAKER: There must be some misunderstanding. I know very well the Bill which was put into my hands bore upon its back the date of the present year.

MR. HOLTON: I presume that was the manuscript, the covering of the Bill. The copy was sent up afterwards probably.

MR. SPEAKER: Not at all; I looked at it.

MR. COLBY: I think the hon. member is in error in saying that this is a copy of the Bill that was placed in your hands. The Bill that was placed in your hands is a duplicate form of the Bill, which will be printed for the second reading without any change whatever. I had an individual memorandum upon the Bill which was placed in your hands, which does not appear upon this Bill. It may refresh your memory, Mr. Speaker, when I remark that, after you had passed that to the Clerk, and the Clerk had returned it to you, I saw an hon. member of this House request you for a copy of the Bill which you had in your hands, which was the same Bill that I handed to you, which you passed to the Clerk, and which the Clerk returned to you afterwards. That hon. member may now have in his possession, and may have inadvertently omitted to return to you or to the Clerk the original which I presented to you, which you passed to the Clerk, and which the Clerk afterwards returned to you.

MR. SPEAKER: I remember very well I gave a French copy of the same Bill to two hon. gentlemen of this House.

MR. HOLTON: If the hon. member for Stanstead (Mr. Colby) presented a Bill to this House printed with his own name, there could be no doubt whatever as to the legality of his proceedings, but there must be other copies of this Bill, and, in view of the misunderstanding and confusion which seems to have arisen, it would no doubt be very satisfactory if my hon. friend from Stanstead would favour us with another copy of his Bill of this year.

MR. SPEAKER: The Clerk has just handed me the manuscript which was put into the hands of the Law Clerk, received Monday, February 16th, 1880, reading: "Mr. Colby, Act to repeal the Acts res-

pecting Insolvency now in force in the Dominion of Canada." This copy I am sure is not the copy I had in my hands yesterday. It would be easy to ascertain all about the matter if I had the French copy which I saw, because I handed the French copy to a member of this House.

MR. COLBY: I will say, in order to be more explicit, and that the House may see that I am not in error, in stating that it is not the Bill which I placed in your hands, that the Bill which I placed in your hands yesterday was a Bill which, before doing so, I referred to my hon. friend from Jacques Cartier (Mr. Girouard) for his revision, and he, in his own handwriting, noted what he conceived would be the proper addition of the Bill. That was before the presentation of the Bill, which was placed in your hands with my name on the back of it; and that is certainly not the Bill. The Clerk has, erroneously perhaps, had another copy which was used as a draft. I think you will recollect that, while the Bill was upon your desk, after it was sent to the Clerk, an hon. member of this House requested the privilege of taking the Bill, and that he took the Bill which should have been handed to the Clerk.

MR. SPEAKER: Here is the French copy exactly. I had two copies in my hand: an English version, and a French version, and here is the French version I handed to the hon. gentleman from Ibrerville (Mr. Béchard).

MR. GIROUARD: I recollect perfectly well that yesterday, when the hon. member for Stanstead, (Mr. Colby) showed me the Bill printed, as the seconder of the Bill, I made a little amendment in my own handwriting. Most assuredly the Bill, which was a few moments ago in the hands of the hon. member for Stanstead is not the one I saw yesterday.

MR. MACKENZIE: I would never have dreamed of doubting the statement of the hon. gentleman himself that he presented the Bill, but I was not aware of it. I asked the Clerk for the Bill which was presented after you stated that you saw it in French, and I got a copy of the Bill of the hon. member for Ibrerville (Mr. Béchard) of last year from the Clerk, and it was my duty in this instance to point out to the House that there had been some mistake about it, and that the hon. gentleman's Bill was not entitled to precedence.

The moment he stated that he did present the Bill, I would never have dreamt of disputing his word.

#### THE MURRAY CANAL.

##### MOTION FOR REPORTS.

MR. KEELER moved for an Order of the House for copies of all reports of Engineers of the Department of Railways and Canals since 1878, upon the Murray Canal, by way of the original Canal Reserve in the township of Murray.

MR. McCUAIG moved in amendment that the following words be added to the motion:—"And also of all other surveys made at any time for the site of the Murray Canal, not already laid before Parliament."

Motion, as amended, *agreed to*.

#### INTERCOLONIAL RAILWAY ACCIDENTS.

##### MOTION FOR RETURN.

MR. MACDONNELL (Inverness) moved for an Order of the House for a return of the number of accidents which have occurred on the Intercolonial Railroad since the first day of January last, with the date, nature, and extent of each. He said: I am prompted to make this enquiry owing to the fact that, during my journey to this city a few days ago, which journey occupied three days on the railway, three accidents occurred, two upon the Intercolonial Railway and one upon the branch line between Rivière du Loup and Point Lévis. The first of these accidents occurred near New Glasgow, and this House and the country have heard with regret that that accident resulted in the death of the engineer then on the train. I heard the news of that accident immediately after my arrival at Pictou. On the following day, the 11th inst., I heard that the engine had left the track in a dangerous locality on the road between Truro and Halifax, and the accident, though not resulting in a loss of life, resulted in a great loss of property. The next day another accident occurred to the train upon which I was travelling, when two wheels of the tender got off the track, and the train ran several hundred yards in that position. This was very disquieting to the passengers. We were all much pleased when we arrived at the end of the journey. When I heard the Govern-

ment inform this House that they had observed the strictest economy in the management of our railroads, and coupled this with the circumstances I have just mentioned, I was struck with the necessity of an enquiry of the kind I now make. I think it is the duty of this House to see that economy, which in itself is most laudable, does not imperil the lives of persons travelling on the railroad, and does not deter the public generally from using it as much as they otherwise would. No person will be more happy than myself if, when the information comes down, it is found that there is no cause for alarm, notwithstanding that these several accidents occurred in such quick succession. I hope that such experience as mine is not common, and that, when the information comes down, it will prove that this economy which has been introduced in the management of the railroad is quite consistent with the safety of those travelling over the road, and with the general utility of the road.

SIR CHARLES TUPPER: I am extremely glad the hon. member for Inverness has made this motion, because it will afford an opportunity of disabusing the House and the public mind of an impression which is laboriously endeavoured to be circulated throughout the country, that the economy which has been practised in connection with the Intercolonial Railroad has been effected at the expense of the permanent way and the rolling stock. I am prepared to invite the most exhaustive examination into that question. I am free to say that a more mistaken economy—it would not be economy but extravagance—could not be practised than a diminution of the expenditure at the cost of the permanent way, or the efficiency of the rolling stock. I can only assure the House that I have taken the utmost pains to satisfy myself that neither the one nor the other has been made in the slightest degree to suffer in this way. I am satisfied that it can be well established that the permanent way and the rolling stock never were in a state of greater efficiency than at this moment. The road never has been operated in a more thoroughly efficient manner than during the past year, as regards speed, regularity of trains or safety from accidents. While the Government has been obliged in former years to pay large sums for accidents

to passengers and loss of life upon the road, I am happy to say that, during the past year, no accident to a passenger has occurred in the operation of this railway. As regards accidents to employes, the road will compare very favourably with the past history of the road or the experience of other roads. I deplore very much the loss of the life of an employe the other day on this railway, in consequence of a locomotive going over an embankment; it was not caused by any deficiency in the rolling stock, or any defective wheel, but by a new frog, which showed no indication of any weakness at the point where the fracture occurred. The fracture may have been due to the changes and severity of the weather, and could not have been foreseen or prevented by any possible care. No doubt, the rolling stock of the road has been taxed to its utmost capacity, owing to the impossibility, up to the present, of obtaining the requisite rolling stock for the Rivière au Loup section, acquired in August last, notwithstanding our obtaining of all the rolling stock procurable from the Grand Trunk Railway; and our rolling stock will continue to be overtaxed until our new supply for that section is completed. The rough condition of a portion of that section, which must so remain till we are able in spring to relay it with steel, must involve a great pressure upon the rolling stock.

Motion agreed to.

RELIEF OF THE DISTRESS IN IRELAND.

MESSAGE FROM HIS EXCELLENCY.

SIR JOHN A. MACDONALD delivered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“The Governor-General recommends to the consideration of the House of Commons the propriety of granting \$100,000 for the relief of the present great distress in Ireland.

“GOVERNMENT HOUSE,

“OTTAWA, 17th February, 1880”

COMMISSIONERS FOR THE MANAGEMENT OF THE INTERNAL ECONOMY OF THE HOUSE OF COMMONS.

MESSAGE FROM HIS EXCELLENCY.

SIR JOHN A. MACDONALD delivered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“The Governor-General transmits to the House of Commons an approved Minute in Council, appointing the Right Hon. Sir John A. Macdonald, Minister of the Interior, the Hon. Sir Leonard Tilley, Minister of Finance, the Hon. Sir Charles Tupper, Minister of Railways and Canals, and the Hon. G. Baby, Minister of Inland Revenue, to act with the Speaker of the House of Commons as Commissioners for the purposes and under the provisions of the Act 31 Victoria, Chapter 27, intituled: ‘An Act respecting the Internal Economy of the House of Commons, and for other purposes.’

“GOVERNMENT HOUSE,

“OTTAWA, 17th February, 1880.”

House adjourned at

Five minutes after

Four o'clock.

HOUSE OF COMMONS.

Wednesday, 18th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

BILLS INTRODUCED.

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

Bill (No. 8) To amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down Rivers and Streams.—(Mr. White, North Renfrew.)

Bill (No. 9) Respecting the Boundary between the Province of Ontario, and the Territories of Canada.—(Mr. Mills.)

BOUNDARY BETWEEN ONTARIO AND UNORGANISED TERRITORIES OF THE DOMINION.

MOTION FOR COMMITTEE ADJOURNED.

MR. DAWSON: Mr. Speaker, I bring forward this motion because I believe the time has arrived when some action should be taken in the matter to which it refers. I assumed the initiative in drawing attention to the subject last Session, because the debateable ground of the boundaries was in my constituency. If the recent award should be carried out, the district which I have the honour to represent, will be as large as all the Maritime Provinces combined, with Newfoundland and Gaspé added. It would have the great lakes of the Dominion for its

boundaries on the south; on the north it would cover some hundreds of miles on the shores of Hudson's Bay, and reach on the west, it to the borders of the great prairies. There would, in that case, be something like half a continent in one constituency. Before the award can take effect, however, it requires the sanction of Parliament, but any action on the part of this House cannot reasonably be asked for without the fullest possible information and I know of no way in which that information can be so readily obtained as by means of a Committee empowered to examine witnesses, and send for persons and papers. There has been a great deal of writing about the extent of French Canada, and the claims of the Merchant Adventurers of England trading to Hudson's Bay, but much of it, however valuable in a historical view, is irrelevant as regards the question at issue, and documents, which are of great intrinsic value, are buried in what I may call mountain masses of foreign matter. Only one side of the case has received any considerable degree of attention, and the advocates on that side have culled from these voluminous writings such documents as seem to support their views. They have acted, not as statesmen dealing with a great national question, which, from their high position they might have been expected to do, and should have done, but like retained advocates who do not hesitate to exaggerate the strong and conceal the weak points of their case. They have gone so far as to ignore and set aside Acts of the Imperial Parliament, to distort the evidence afforded by Imperial Proclamations and Commissions to Governors, and, being practically unopposed, have in this way succeeded in obtaining a verdict of which I would say that, however much it might be to their own individual liking is certainly not in the best interests of Ontario or the Dominion at large. This is a case in which all the Provinces are greatly, I may say, equally interested, and in which whatever should conduce most to the general advantage would be most in the interests of Ontario. It is not a case into which party politics should, or I believe can, enter at all. I will not go largely into the merits of the award at present, but I would point out several reasons why I believe it is desirable that this House should be in possession

of more information than it now has, before being called upon to legislate in a matter in reference to which the action to be taken must have a lasting influence for good or ill on the Dominion. In the first place, I would call attention to the fact that, in dealing with the Western Boundaries, the advocates, who alone seem to have had anything to say in the matter, have utterly ignored two Acts of the Imperial Parliament, which, taken in connection with the Imperial Proclamation of 1763, are tolerably clear as to the matter of boundary. I allude to the Act of 1803 (43 Geo. III, cap. 138) and the Act of 1821 (1 and 2 Geo. IV, cap. 66). The first of these Acts describes the Indian Territories as being "not within the limits of the Provinces of Lower or Upper Canada or either of them;" and the next refers to these same territories as being "to the Northward and Westward of the Provinces of Upper and Lower Canada." The position of the Indian Territories so decidedly specified in these Imperial Acts, as being beyond the limits of Lower or Upper Canada, should have been clearly ascertained and submitted to the Arbitrators before asking them to make an award, as they had no power to go beyond or interfere with lines fixed by Acts of the Imperial Parliament. It may be said that the limits of these Indian Territories were never defined, but the Imperial Proclamation of 1763, to which I have already referred, will throw some light on the subject. It is as follows:—

"And we do further declare it to be our Royal will and pleasure to receive under our Sovereignty, protection and dominion, for the use of the said Indians, all the lands and territories not included within the limits of our three new Governments, or within the limits of the territory granted to the Hudson's Bay Company, as also all the land and territories lying to the westward of the sources of the rivers which fall into the sea from the west and north-west, as aforesaid."

The lines produced by the Arbitrators are drawn without the slightest regard to these Indian Territories or the Imperial Acts of 1803 and 1821; therefore, I believe that their award—if for no other reason—should be received with caution by this House. But there are many other reasons why it should be carefully considered before being accepted, and

among these is the fact that, on the north-east and north, it gives to Ontario a large extent of territory which she does not want, has never claimed, and has no earthly right to. If any territory at all had ever belonged to the Hudson's Bay Company, it was surely that on the confines of Hudson's Bay. That Company, as was well known, held but a troubled tenure for the first forty years of its existence, but, after the Treaty of Utrecht (1713), there never has been a question as to its rights to the territory bordering on Hudson's Bay. The Company has been in undisturbed possession from the date of the Treaty of Utrecht, up to the time at which they transferred their territorial rights in virtue, of a payment of a million and a half of dollars to the Dominion. Surely a possession practically undisturbed for a hundred and fifty years should of itself constitute some claim, and yet the award utterly ignores all claims and rights whatever in the direction of Hudson's Bay. Again, as regards the Western Boundary, the Act of 1774 (14 Geo. III, cap. 83) commonly known as the Quebec Act, had fixed the western limit of the Province of Quebec, as bounded by a line drawn "northward" from the point of junction of the Ohio and Mississippi to the territories of the Merchant Adventurers trading to Hudson's Bay. Now, the territories of the Merchant Adventurers are, in the maps of those days, exhibited as extending inland for a hundred miles or two from the shores of Hudson's Bay, and the advocates opposing the Dominion have striven hard to show that they came no further inland, so that, admitting that these territories are delineated with some degree of accuracy, a line drawn northward from the point indicated in the Act would have rather been to the eastward than to the westward of north; yet it is claimed that northward meant north-westward along the banks of the Mississippi. How absurd this contention is, a single glance at the admirable map compiled by the Government of Ontario will show. On reference to that map, it will be seen that such a line would not have gone to the territories of the Merchant Adventurers, as then known, at all, but on the contrary, would have run far to the west of them, among the slopes of the Rocky Mountains; therefore, I consider that

the integrity of an award which ignores this northward line, established, as it was by Act of the Imperial Parliament, should be regarded with extreme caution. Another reason why the House should not be asked to confirm the award without investigation exists in the fact that the advocates opposing the Dominion have suggested no less than eleven different western boundaries for Ontario, and as many as ten northern boundaries with not one of which does the award agree, so that, on the showing of the counsel for Ontario, the Arbitrators are decidedly in error. No one could be more anxious to advance the interests of Ontario than I am, but I doubt very much whether it would be to her advantage that this award should be confirmed. Ontario has no means of dealing adequately with these distant territories, and whatever policy would lead to their most speedy development would be the most in her interest. The land, until the Indian title was extinguished, belonged in fact to the Indians. The Dominion Government had purchased it from them or at least a portion of it—some 50,000 square miles, or so—in lieu of which the Indians had annuities paid to them which, with other allowances, amounted annually to about \$25,000 or \$30,000. The residue of the territory within the limits designated by the award might cost as much more, so that it would eventually involve Indian payments to the tune of some \$50,000 or \$60,000 annually. Of course, the payments to the Indians form in fact a lien on the land, and Ontario is in no position to assume such burdens, more especially, as the opening up, organisation and development of these vast regions would cost her millions more. In this territory, she would have a white elephant which might amuse the people at first, but the older districts would soon become weary of so costly a pet. The true policy, in my opinion, would be to come to some arrangement with Ontario by which the whole of Algoma, including the new territory, could be formed into a separate Province. It is with the cities and the settlements of Ontario that the trade of these new regions must always be. As a Province, their great natural resources would become sooner developed, and therefore it is in the interest of Ontario

that a new Province should be formed. It should never be forgotten that the claims of Quebec to, and interest in, all the territories of Old Canada beyond the limits of the Provinces were equal to those of Upper Canada. Quebec and Upper Canada, for a long period, exercised concurrent jurisdiction in these territories, and previous to the Union, Quebec had issued writs for execution at Lake Superior, in the vicinity of Fort William, as Upper Canada had also done. There is one other question connected with this matter which I think deserving of the gravest consideration. It is this: when the scheme of Confederation, which was so happily carried out, was under consideration, the part of the then Province of Canada known as Canada West, had certain well defined limits. In general estimation, it was considered to have been bounded north and west by the Height of Land. Had it then been suggested that its area would, in the near future, be more than doubled by the addition of the fairest portion of the vast territories at that time claimed by, and afterwards purchased from, the Hudson's Bay Company, would the other Provinces have consented to an arrangement which they must have believed would ultimately give to Ontario a vastly preponderating influence in the Confederacy. It will not be out of place I conceive to refer to documents which have been called for and laid before another Legislature. Among these is a letter bearing date the 23rd September last, addressed to the Secretary of State, in which the Government of Canada is called on to confirm the award. The reasons for making this demand are set forth at some length, and, in arguing the case, the following passage occurs:—

“ If the merits of the award have been considered by the Government of Canada, they will have observed certain preliminary things in connection with the question which were and are beyond controversy. Among these are the facts that Ontario is entitled to the same limits as Upper Canada had, whatever these were; that these limits embrace as much of the British Territory, west of the division line between Ontario and Quebec, as belonged to France before the Cession of 1763, and (what is the same thing) as much as belonged to the Province of Canada before Confederation.”

Before the Cession of 1763, the whole continent, west of the Ohio, belonged to France, or was at least claimed by France,

and, if Ontario had now all that remained to Britain after the War of Independence, her boundaries would extend to the Arctic Sea on the north, and to the Rocky Mountains or Pacific Ocean on the west. But the Province of Upper Canada never did embrace as much of the British Territory west of the division line as belonged to France before the Cession of 1763, and what belonged to Canada before Confederation, is not by any means the same thing. The Province of Quebec was limited to the west and north by the Proclamation of 1763, which reserved all lands west and north of the St. Lawrence water-shed for the use of the Indians, and the Imperial Act of 1803, as well as the Imperial Act of 1821, clearly specifies the Indian territories as being beyond the Provinces of Upper and Lower Canada, or either of them, and these Indian territories are part of the territory which belonged to France before the Cession of 1763. A little further on in the same document, a great deal is attempted to be made of the expressions used in Commissions to Governors, but surely a Commission issued eighty or ninety years ago should have no more weight than a Commission issued forty or forty-five years ago; and the Commissions of the latter time, although they extended the jurisdiction of the Governors to the shores of the Hudson's Bay on the north, restricted it to Lake Superior on the west, so that, admitting for the moment all that the advocates of a vast westward extension claim in virtue of Commissions to Governors, the same authority which gave those extensions can curtail them, and, according to the Commissions to the several Governors from 1838 up to the Union, the western boundary of Upper Canada was limited to Lake Superior. The same authority which carried the boundary to the shores of Hudson's Bay on the north confined it to Lake Superior on the west, so that, if the argument made use of in this document were carried to its logical conclusion, it would, in fact, tell against the claims of Ontario, and that very seriously. Commissions to Governors might extend jurisdiction, but they could not alter boundaries established by Imperial Acts. I believe the jurisdiction of the Governors of the old Province of Quebec extended to the point at which the due western line from the Lake of the

Woods touches the waters of the Mississippi, but this does not alter the boundaries as established by the Quebec Act; and the Act of 1803, giving concurrent jurisdiction to Upper Canada and Quebec, in the Indian Territories, effectually settled the matter. The document goes on to say :

“Further, the Territory so awarded to Ontario is less than was comprised in Upper Canada, according to the true intent and meaning of the Quebec Act, 1774, as shown by its recitals and by its known objects and its history, including the proceedings thereon in the House of Commons, as reported in the ‘Cavendish Debates,’ and as set forth in the letter of the Right Hon. Edmund Burke, dated 2nd August, 1774, to his constituents, the Province of New York, whose agent he was at the time.”

The letter of the Right Hon. Edmund Burke refers solely to the boundaries of the then Province of New York of which he was the agent, and the true intent and meaning of the Quebec Act, 1774, as explained in the judgment given by the highest Court existing in Canada in 1818, is very different from that claimed for it in this paper. The advocates opposing the Dominion always try to make little of the unanimous decision of the Judges in the De Reinhard case, but let any unprejudiced person read the report of that trial, and he will see that the whole case hinges on the matter of the boundaries. He will see that the case was most ably argued on both sides, that there was no want of information, and that those taking the Upper Canada view argued the matter with a power and an eloquence which contrast very strongly with the feeble arguments put forth in the same direction nowadays. The Judges who gave their decision on that occasion, as to the western boundary of Upper Canada were as high in position, and as able to come to a reasonable decision, as the Arbitrators who made the late award, and they had evidently studied the case, which the latter do not seem to have done. But it is said in this paper that “the decision was come to without the Court being aware of the terms of the Royal Commissions to the Governors.” On this point, the Court ruled that the Crown could extend the jurisdiction or withdraw it again within narrower limits. This is admitted by the present advocates of the westward extension of Ontario, and what would they make of the later Royal Commissions limiting the western

jurisdiction of Upper Canada to Lake Superior. In claiming so much for these Commissions, which are often contradictory the one of the other, they seem to have forgotten that the rule might work both ways. The paper goes on to say : “De Reinhard though clearly guilty, was not executed, and the only known or supposed reason for pardoning him is that the British Government were advised that the conclusion of the Court was not maintainable.” This is begging the question with a vengeance. The true cause of the pardon was that the case was considered by the Imperial authorities to have been one of homicide or manslaughter rather than of murder. For, in the official documents of the time, the country is described as being in a state of “private warfare” and in fact a war in which many lives were lost had been for a long time going on between two powerful rival corporations—the Hudson’s Bay Company and the old North-West Company of Canada. The document goes on to refer to what the Hudson’s Bay Company were content with in 1701, thirty years after the date of their Charter, but every one knows that they had then very powerful opposition, that France was at that time able to cope with England on the high seas. The true date from which to estimate the value of the rival claims was 1713—the date of the Treaty of Utrecht—when there was some sort of a definition of boundaries agreed on, in a measure, by both nations. But, if the award were far less objectionable than it is, if it did not run into territories the size of European kingdoms, which the country purchased from the Hudson’s Bay Company, to which, until that purchase was effected, Canada had clearly no claim, I will repeat that it demands a most thorough investigation by this House. It is useless to say that the territory is not valuable. It has rivers navigable for hundreds of miles from the sea inland, forests of great commercial importance, agricultural lands of vast extent, fisheries susceptible of great development, and it is all within the habitable parts of the continent, much of it having a climate equal, at least, to that of Ottawa. This is proved by a very able pamphlet issued by the Ontario Government, and by the recent reports of the Geological Survey. I now beg to move that a Select Committee be ap-



pointed to enquire into, and report to this House upon all matters connected with the Boundaries between the Province of Ontario, and the unorganised Territories of the Dominion, with power to send for persons and papers; said Committee be composed of Messrs. Dawson, Robinson, Geoffrion, DeCosmos, Brecken Royal, Trow, Mousseau, Caron, McDonald (Cape Breton), and Weldon, of whom five to form a quorum.

MR. MILLS: Is this in order? I introduced a Bill which was read the first time a few moments ago asking this House to affirm the award made by the Arbitrators. I think this motion is not consistent with the action of the House upon that Bill. At all events, whether it is in order or not, it will be extremely inconvenient to appoint a Committee to enquire into the matter until the Bill I have introduced is either carried on the second reading or defeated.

SIR JOHN A. MACDONALD: There can be no doubt about the motion being in order. The hon. gentleman has certainly introduced the Bill referred to confirming the Act of the Province of Ontario. The hon. member for Algoma moved for a Committee to enquire into matters connected with that award, which I regard as perfectly in order.

MR. HOLTON: I think the point of order is not quite so simple as my right hon. friend would intimate. The House has not merely permitted the introduction of the Bill, but it has ordered the second reading of the Bill to confirm the award of the Arbitrators in respect to the point under consideration. The hon. member for Algoma brings a proposition counter to that—in reversal, in point of fact, of the Order of the House. He is opposed to the confirmation of this award, and he proposes that a Committee should be appointed to establish reasons for the non-confirmation thereof. I simply submit it as a point of order; it is not a question I am prepared to discuss or to consider on its merits at this stage. The House has ordered a second reading.

SIR JOHN A. MACDONALD: It has ordered that it should be set down for a second reading.

MR. HOLTON: The Order of the House is that it should be read a second time to-morrow. When that Order is called, it

will be competent for my hon. friend from Algoma to negative that motion by a proposal that, instead of the Bill being read the second time, the Committee should be struck, or, the Bill having been read the second time in pursuance of the Order of the House, it will be in order for the hon. gentleman to propose the reference of the Bill to a Select Committee. I have my doubts whether, the House having ordered a second reading of the Bill for a given purpose to-morrow, it is strictly in order to admit a distinctly counter proposition as shown by the argument of the hon. gentlemen who makes this motion.

MR. SPEAKER: I do not see that the motion of the hon. member is out of Order. It is true that the hon. member for Bothwell presented a Bill which was read the first time and ordered to be read the second time to-morrow, but the House has not pledged itself to any policy or to anything with relation to the Bill. I think the House ought to see that it is required to give a most liberal interpretation of this matter, and that enquiries of such a nature are far from being objectionable. I hold the motion is in order.

MR. MILLS: I am opposed to the appointment of the Committee for which the hon. gentleman asks in his motion. I think, Sir, that the Parliament of Canada, or at all events, the Government of Canada, are in honour and in good faith bound by the award made by the Arbitrators appointed to decide this question of boundary. My objection to the appointment of a Committee, if the question were still open, is that a Committee is a very inconvenient means of obtaining the information of the sort required. The Government of the First Minister, I think, in 1871 or 1872, appointed Mr. Ramsay, now Judge Ramsay, to investigate this subject and report upon it to the Government. Mr. Ramsay did so, and I presume obtained all the information he was able to obtain on the subject, and he made a report embracing that information. Subsequently Mr., now Judge, Armour, was also appointed as agent and counsel of the Government of Canada, to investigate the subject, and to argue the question before the Arbitrators that had been agreed upon. He carried on this investi-

gation for some time. The information which he acquired, at his elevation to the bench was communicated to Mr. McMahon of London, and to Mr. Monck, a gentleman of Montreal, who were appointed agents and counsel of the Government of Canada, to inform themselves upon this question, and to argue the case, on behalf of Canada, before the Arbitrators. Mr. McMahon collected all the information he could get, and the information so obtained is embraced in the case that was submitted to the Arbitrators on behalf of the Government of Canada. I was myself appointed by the Government of Ontario to report upon the subject in 1872, and again in 1875 to prepare the case. My instructions were to make an exhaustive enquiry into this subject, to collect all the information bearing upon the case, whether it favoured the contention of Ontario or the contention of Canada. That report and case were submitted to the Government of Ontario, and I believe have been put in the possession of the members, or, at all events, a large number of the members of this House. The archives of Paris were searched at the instance of both Governments for information, the public records and state papers at London and other places were examined for information, both on behalf of the Government of Canada, and of the Government of Ontario, and all the knowledge it was possible to glean, was obtained at that time. There were a few documents referred to in various communications, as, for instance, the map referred to in a communication to Lord Bolingbroke, of Mr. Prior, who was Acting British Minister at Paris. This map was searched for both at Paris and London, but could not be found. Now, Sir, I do not believe that a Committee such as the one asked for would be a proper instrument for obtaining additional information. I do not believe there is any additional information to be obtained. If you take the cases of the Government of Ontario and the Government of Canada, they will give you all the information you want on the subject. If the gentlemen on the Treasury Benches believe that further information can be obtained, and that it is necessary to get it, they should appoint competent gentlemen who must be sent to London and to Paris to get what further information, if any, can be obtained.

But there is one thing certain that, there is no information which the Committee can get that is not already in the possession of the House, or which the House cannot have if the case for the Government of Ontario and the case for the Government of Canada are brought down to the House. I do not wish to discuss this question on its merits. I purpose doing so when the Bill which I intend to submit is brought before the House for the second reading. That will be a more convenient time. The hon. member for Algoma has alluded to some Acts of Parliament and certain other matters which he says have been overlooked by the Arbitrators. Among these Arbitrators, there was Sir Francis Hincks, a gentleman of rank, one well versed in public affairs; there was Chief Justice Harrison, a distinguished jurist, and Sir Edward Thornton. These gentlemen were quite able to appreciate the facts to which the hon. gentleman has referred. The Acts of 1803 and 1821 have no bearing on this question. The hon. gentleman has also referred to the King's Proclamation of 1763, and he says that certain territories are there spoken of as Indian territories. These words are perfectly intelligible; no difference of opinion could exist in reference to them. The King, in the exercise of his prerogative, agreed with France in the Treaty of 1763 that the Mississippi river should be the boundary on the west, and the King, in further exercise of his prerogative, parcelled out of the ceded territory a Province called the Province of Quebec, which corresponded very much to the present Province of Quebec. All the territory lying west of that Province was Indian territory—including Michigan, Wisconsin, Ohio, Illinois, and Indiana,—and the Indians in it were placed under the supervision of Sir William Johnston. The hon. gentleman has said that the western boundary of the Province of Ontario or Upper Canada was the meridian line from the junction of the Ohio and Mississippi rivers. I do not believe it is possible, after looking into the facts of this question, to come to that conclusion—either from the grammatical construction of the preamble of the Act of 1774, or from the circumstances which led to that Act. If the hon. gentleman will refer to the Act of 1774, he will find that it refers to the portion of New France

which England had ceded to her in 1763. In the Act it is declared that the Province of Quebec shall embrace all those settlements which were then east of the Mississippi river. There was one settlement on the Wabash river, another at Detroit; but four-fifths of the population proposed to be embraced in the Province of Quebec would be found on the banks of the Mississippi in the western part of the Indian territory. Well, when this Bill was introduced, the description of boundaries was in this form: that the Province should embrace all these territories, countries and islands southward to the Ohio, westward to the Mississippi, and northward to the possessions of the Merchant Adventurers of the Hudson's Bay. These were the words—

An Hon. MEMBER: The boundary line was to follow the banks of the Ohio until it reached the Mississippi.

MR. MILLS: The Act as it came down from the House of Lords mentions distinctly all these territories, countries and islands southward to the Ohio, westward to the Mississippi, and northward to the territories of the Hudson's Bay Merchant Adventurers. That was the form in which the Act was introduced in the House of Lords, and in which it was introduced into the House of Commons. The French had always claimed the country to the southern watershed of the St. Lawrence; they claimed to go south of the St. Lawrence river, and south of Lake Ontario; but the Province of New York claimed that their territory extended to the St. Lawrence river and Lake Ontario, on the north; and what Mr. Burke—who was acting as agent for the Province of New York—complained of, was that encroachments might be made southward under the Bill. He said:

“You have not stated what the boundary is to be; and it would be possible to press down your boundary to the very gates of the city of New York.”

These were, in effect, the words of Mr. Burke, and he insisted on the boundary being laid down in the Act itself. Lord North, who took charge of the Bill in the House of Commons, and who, I think, was Prime Minister at the time, stated that it was desirable to fix the boundary between the French and English settlements, upon the ground that there were,

south of the St. Lawrence and Lake Ontario, no English settlements, and he believed there were some French settlements, and that it was desirable that they should be included in the Province of Quebec. After some discussion it was agreed that the southern boundary should be defined throughout its whole extent; and Mr. Burke and some other gentlemen retired for half an hour upstairs to alter the Bill; and Lord North said he would have no objection if they could make the line satisfactory. He undertook to define the southern boundary, but defined no other. Any hon. gentleman taking the Act of 1774 will see that the countries, territories and islands bounded on the south by a line running from the Baie des Chaleurs westward to the Mississippi, and northward to the territories of the Hudson's Bay Company are embraced in the Province of Quebec. Lord Thurlow, one of the law officers of the Crown at that time, pointed out that the gentlemen were confounding Canada, a province of France, with the Province of Quebec. I am not going to discuss this question minutely, or upon its merits, but I merely call the attention of hon. gentlemen to these facts, in opposition to what the hon. gentleman has said who introduced this motion. For this House to grant a Committee of Enquiry for the purpose of attacking the award of the Arbitrators in this matter, instead of confirming it, would be acting just as our southern neighbours would have done had they refused to abide by the Halifax award. It would be just as flagrant a breach of good faith as if Great Britain had refused to pay the money awarded by the Geneva Arbitration. The Government of Canada is continuous. Its obligations are not ended by a change of Ministry, and Ministers are solemnly bound by any action of a previous Government. Would it be proper for Mr. Hayes, at Washington, to ignore the Halifax Commission as an obligation undertaken by his predecessor, Mr. Grant? Would that be a right and proper mode of proceeding? And yet that might as well be done as to repudiate the award of these Arbitrators. The gentlemen composing the Board of Arbitration had a full opportunity of considering the case, and they gave it their fullest consideration. Sir Edward Thornton, I may say, came

to consult the Government in reference to the matter, long before the Arbitrators sat; and I know that the other gentlemen, the late Chief Justice Harrison and Sir Francis Hincks, also considered this subject very fully. To sanction the appointment of this Committee to seek to set aside the award of these gentlemen would be as great a wrong, as gross breach of faith, as if one Administration of this country were to repudiate the public debt incurred by another Administration, or do anything which, in the public estimation, it is derogatory for a Government to do. I think the House ought not to grant this Committee; such a Committee cannot without dishonour and bad faith be appointed. If the Government think that the Arbitrators were bribed, or that they were wholly incompetent men, then they ought to assume the responsibility of opening up the question only with the consent of the other party, and by obtaining information through the proper channels, instead of appointing a Committee, a course which can lead to nothing but delay in the confirmation of the award which has been made.

Mr. McDONALD (Pictou): I do not intend to occupy the House at present with any discussion on the merits of the important question raised by the motion of the hon. member for Algoma; and I trust, in saying so, I shall fulfil my promise better than the hon. gentleman who has just sat down, and who began by saying he did not intend to discuss the merits of the question. Of course, I will not contradict him, but the House must judge as to whether my hon. friend has not, during the time he has occupied, fully discussed the merits, in fact has made to my mind a case which imperatively demands the enquiry which the hon. gentleman for Algoma (Mr. Dawson) seeks. Now, the only embarrassment, if embarrassment should be felt on the subject—a subject so important to the whole Dominion and to the Government having charge of the interests of the Dominion, when we are required to abandon a tract of territory large enough to constitute a Province equal, as was remarked by the hon. member for Algoma, to the territory of all the Lower Provinces,—I say, if any embarrassment should be felt, it would be from the high standing, the high character, and the

great learning of the gentlemen whose award will probably be under review of the Committee sought for by this resolution. But it does appear to me that this House would be wanting in its duty to the country if it allowed any decision, coming from men however eminent, to control the interests of the country and to deprive the Dominion of its territory, if in their opinion the decision arrived at was erroneous—not wilfully erroneous, for no one would imagine for a moment that either of the eminent men who composed this tribunal, could come to any decision that was not dictated by the purest motives and, I have no doubt, by the most searching enquiry. But, on a question of this character, I think there is nothing derogatory to the position which they occupy, to order an enquiry—and the fullest enquiry—before this House, or before any tribunal that this House may think proper to appoint, for the purpose of reconsidering the decision at which these gentlemen have arrived. It may be, as the hon. mover of the resolution has stated, that, on that occasion, the case of the Dominion was not fully put. It may be, as the hon. mover of this resolution says, that further information has been obtained, which it is desirable should be considered, in connection with the adjudication on this important subject; and, if I recollect aright, in the able report of the hon. member for Bothwell (Mr. Mills), made at the instance of the Ontario Government, he challenged the validity and force of a judgment bearing on this question given in the Supreme Court of Quebec, on the ground that, at the time the judgment was given, all the facts and circumstances which have since become available—largely through the industry of the hon. gentleman himself—were not put before the Court. Very well, as it is stated on the authority of the hon. member for Algoma, that such information is still open for consideration, I do not really think that the admitted authority of the Arbitrators ought to induce this House to abstain from further enquiry and investigation. The hon. member, I think, very unfairly insinuates that the action of the right hon. gentleman who leads the Government is dictated by the circumstance that the Arbitration was initiated by the gentleman who preceded him in power. I am quite

certain that is not the case, nor has the Government been impelled by any such consideration. If I recollect aright, when the hon. the leader of the Opposition assumed the reins of Government, there was a proposition by the Government of Ontario, a fair and reasonable and proper proposition, to determine, to use the words of the Minute of Council on which this Arbitration was appointed, the boundary between the Dominion of Canada and the Province of Ontario. It was not to make a boundary, it was not to authorise two or three persons to ramble over that immense extent of territory, and fix the boundary wherever in their judgment the boundary should be, but it was to determine, from a fixed, known point of departure, what the line was which should determine the respective territories of the Dominion on the east and Ontario on the west. Now that, for the reason that the Province claimed a larger and undefined extent of territory, was objected to by Ontario. The Government of Ontario put it on the ground that they claimed a territory further to the west than the line defined by the correspondence on that occasion would give them, that is the line running due north from the junction of the Ohio and Mississippi Rivers, and they declined to appoint a Commission. They went further, and, if I recollect rightly, they instructed the Commissioners who had been appointed not to proceed with the investigation. I think that was the position of matters when a reply was received from the Government of Ontario that, as they claimed a line further to the westward than could evidently be given to them by the line running north from the junction of the Ohio and Mississippi Rivers, they declined to proceed or to instruct their Commissioners to proceed. Now, it does appear to me that the hon. gentleman has no reason to complain that we object to the proceedings thereafter, not that the Government were not influenced by the very best motives, but that, after the Government of Ontario had made a claim for territory which the Government of the Dominion at that time expressed their belief they were not entitled to, the Government ought to have had the authority of Parliament before authorizing any Commission or any body of men to determine as to the rights and

territories of the Dominion of Canada. These gentlemen were authorised to determine, not the line starting from any particular point which was to be fixed as the boundary between the two countries, but they were to determine whether, Ontario should own three or four hundred thousand square miles of territory, that the Dominion of Canada, through its Government, had claimed that Ontario did not own. Now, I think that on that ground it is perfectly right and just that this House, either through a Committee, or by some other mode of enquiry, should have the opportunity of determining whether they will adopt the conclusions at which that tribunal arrived, conclusions taking from the Dominion of Canada an immense extent of valuable territory. There is another reason why I think the Committee ought to be granted, and that is that many of us think that the conclusion at which that Commission arrived was not justifiable by the evidence. I say this with the greatest possible diffidence, but I am bound to express the opinion which I entertain, and entertain very strongly, though I do so with diffidence as indeed every lawyer would, who felt himself obliged to differ from the opinion of so eminent an authority as Chief Justice Harrison. But, without further discussing the merits of the question, I am quite sure that some of the eminent lawyers on the other side of the House would come to the same conclusion, if they were to consider the meaning of the Act of 1774. If that Act of Parliament was passed to-day in the light of the judicial decisions and the construction which those words have already received in the Courts, I do not think there could be any doubt or difficulty. Nor do I conceive that, in view of the judicial decision which took place some time after the passage of that Act, we could doubt what the intention of the Act was. There is no doubt whatever, as everybody must know, that, at that early date, in England particularly and among English people, there was not a very profound knowledge of localities in Western America. I do not know that we would slander our English fellow-subjects if we stated that even at this date, when they can travel by steam to the extreme west, they could not make a plan that could be relied upon as to the boundaries of the territory

which we occupy now. There was one point clear and distinct which was easily perceptible to anyone who took the trouble to investigate it, and which was clearly understood by the eminent men who took part in the discussion in the Imperial Parliament, when the Act of 1774 was under discussion. That Act was watched, as the hon. member for Bothwell says, very carefully, and with great jealousy, by Mr. Burke and other eminent members of Parliament who were interested in the old English Colonies. They appeared to take little interest in the territory lying west, but they took the extremest interest in the western boundaries of the Colonies which they represented. As members of the House know, some of these older Colonies had Charters which granted them an extension westward to the South Sea, now called the Pacific Ocean, and that at that very time there was a question as to whether Pennsylvania and New York and the British Colonies lying along the sea coast should extend westward beyond the Alleghanies or not; therefore it was that this Act was watched during its passage through Parliament with the greatest jealousy and care. These intelligent men, having maps of the country before them, knew that in 1763 the western boundary of the British possessions extended to the River Mississippi. It was declared by the Treaty of 1763 that the boundaries between the territories of His Britannic Majesty and the King of the French, west, should be the River Mississippi from its source to its mouth. That was the boundary recognised on the maps of the time; and, with this map before them, these eminent statesmen and lawyers, evincing the care and anxiety with which they watched the progress of the Bill, and the intelligence and ability with which they defined the boundary in which their own Colonies were interested, declared that, instead of following the banks of the Mississippi, the line, when it reached the confluence of the Ohio and the Mississippi, should run northwards to the territory of the Hudson's Bay Company. The only question which appears to me for discussion is, not what the preamble of the Act would indicate, but what the intention of Parliament was, as indicated by the words employed; because it may be said that the

intention of the British Parliament was not to annex this large stretch of territory in the North-West Territory, between the due north line and the banks of the Mississippi, a territory so large as to embrace, at the present day, portions of two or three of the largest and most prosperous States in the United States. I say it might have been the intention of Parliament to establish there another Government for the management and control of the territories in that stretch of country. The Act was deliberately passed by Parliament, not under circumstances which would indicate that they were misled, or that it was hastily done, because the Act was for several days under the closest scrutiny; and by it Parliament declared that the line which should bound the new Province of Quebec, or the territory added to the then Province of Quebec in 1774, should be a line running northward from the point at which the Ohio and Mississippi united. Now what does the word northward mean? What was the construction at that time put upon it? I say frankly that I have not been able to find any judicial decision on that point in England, at about the time the Act was passed. But so early as 1805 or 1806 the Supreme Court of New York, a body recognised as a very able and learned one, held directly and in the strongest terms, that the word northward, without further words to direct the inclination of the course, in charters or grants of the time, meant due north; and the Judges who decided two of these cases, one in 1805 and one in 1806, declared in the strongest language, not only that such was the true construction, but that it was then settled law. In 1818, we find the judicial construction of the Supreme Court in the Province of Quebec, on the first action on which the question arose, declaring that the line running due north from the junction of these two rivers was to be the true dividing line. With reference to the question put by my hon. friend from Algoma so strongly—and I think it is a most pertinent question—whether the Provinces of the Dominion which consented to enter into the Confederation, would have so readily entered had they supposed that the great Province of Ontario, which certainly, at that time, was not supposed

to have her limits so far to the west, was to be by the acquisition of this territory enlarged to nearly twice, if not altogether twice, her supposed area, at the same time I quite admit that, if, in point of law, if, in point of fact, if, in point of justice, she is entitled to the territory, she should not be excluded from its attainment simply because of such a misapprehension. Another view may be taken of the question, which fully justifies the request of the mover of this resolution, and that is why is it that we never heard of this claim on the part of Ontario while the Dominion of Canada was assuming, with her consent, very large and extensive liabilities in connection with the purchase of that great territory from the Hudson's Bay Company. One argument forcibly used by my hon. friend from Bothwell in his report was that Ministers of the Crown, while negotiating with the Hudson's Bay Company for the purchase of their property—

MR. MACKENZIE: Will the hon. gentleman say how much of this disputed territory belonging to the Hudson's Bay Company was purchased?

MR. McDONALD (Pictou): A great deal of it. I cannot say how much, but, looking at the map, I should say there was a very large area indeed. But, if the contention of the hon. member for Bothwell be correct, then the Arbitrators, have done the greatest possible injury to Ontario. They have not given Ontario the territory to which she is entitled, and that is another reason why I think the hon. gentlemen opposite who advocate the cause of Ontario ought to be very glad that this discussion has arisen, in order that Ontario might, if she is so entitled, obtain her rights in this particular. The contention of the hon. member for Bothwell is that, running up the banks of the Mississippi river and running north until it strikes the territory of the Hudson's Bay Company, as anyone can see who looks at the map, the line would never strike the territory of the Hudson's Bay Company, and therefore, by running to the west of it, would give the whole of North America, with the exception of what the Hudson's Bay Company could hold, to Ontario. So much in reference to the line on the westward, which I think is at any rate of a sufficiently uncertain character to entitle this House to the fullest information on

the subject before it ratifies that award. I have only to say, with reference to the line on the north, and the claim of the Hudson's Bay Company, that, so early as 1703 or 1704, a discussion took place in reference to the boundaries between themselves and the British Government. It was then shown, upon the map prepared by themselves, that the boundary should coincide with the height of the land beginning at Cape Grimmington and going, as the hon. mover of the resolution said, to Lake Mistassini, running thence south-westerly, striking parallel 49°, and thence west. It appears to me that, looking at the map, it will be seen that, rightly or wrongly, whether the claim can be sustained or not, the Company at that time, before the dispute arose with reference to any other boundary than their own, claimed by that new boundary up the height of land of the waters running into Hudson's Bay. On these grounds, I think that the House will be justified in adopting the resolution for an enquiry. If the case of Ontario be so strong as it is said to be, no harm can be done, and the territory will be given to that great Province with the entire concurrence of this House, and the people of this country; but, on the other hand, if, through mistake or otherwise, territory has been assigned to her which belongs to the Dominion, then I do not think that the Province of Ontario, or the friends of that Province in this House, would desire the ratification of the award.

MR. BLAKE: I do not propose to trouble the House with any observations upon the question as to the true boundary line between Ontario and the unorganised territories of Canada. There are, however, one or two considerations with reference to the proposal now before the House, which, I think, should receive attention. It may be convenient, before proceeding to discuss those considerations, to refer to a suggestion made by the hon. gentleman who has just sat down, who argued that, in consequence of some action taken by the Provincial Government of Ontario, at a time when I happened to be responsible for the conduct of its affairs, this House would be justified in taking the course it is now proposed to adopt. The hon. gentleman stated that, upon a former occasion, after a Commission for

the establishment of the boundary line had been appointed, in consequence of instructions given by the Government of Canada to their Commissioner, to start from a defined point and from that point to ascertain the boundary, the Government of Ontario had ordered their Commissioner to desist from acting under the Commission.

MR. McDONALD (Picton): I said they had started from a defined point, giving the course due north from that point.

MR. BLAKE: The hon. gentleman thinks there is only one line. There was a good deal more in the instructions than he has stated. It will be found that, whereas, up to the time to which I refer, it had been assumed that that Commission was for the purpose of ascertaining and establishing the boundary line, the instructions to the Commissioner, which I have before me, limited his functions to marking upon the ground, to the location upon the ground, of a boundary northerly and westerly according to certain defined lines laid down in the instructions. A tracing was given to the Commissioner showing the point of commencement and indicating the due north line to which the hon. gentleman refers; and thus disposing of one part of the boundary. But the Commissioner was to run a line due north until he struck the southern boundaries of the Hudson's Bay Territory, and the instructions then proceed to state what that southern boundary is. They state:

"This is well understood to be the height of land dividing the waters which flow into Hudson's Bay from those emptying into the Valleys of the great lakes, and forming the Northern boundary of Ontario; and the same is to be traced and surveyed, following its various windings till you arrive at the angle therein between the Provinces of Ontario and Quebec, as the latter is at present bounded, having accomplished which the same will have been completed."

Therefore, it is plain that the instructions to that Commissioner were simply to lay down on the ground the whole of the boundary according to certain directions which are contained in the instructions. These directions involved the cession by the Province of Ontario of territory which it had long before occupied, settled and organised, and in respect to which it was then exercising jurisdiction, in respect to

which claims for money therein expended had been advanced by the Canadian Government and conceded by the Provincial Government on the ground that they were moneys spent within the Province of Ontario. Those who were responsible for the conduct of affairs in Ontario were not able to accede to the view that that was the true boundary line between Ontario and Quebec, and, because they were not able to do so, they declined to permit the prosecution of that Commission. In response to a communication announcing that decision, regret was intimated that the Province of Ontario had not on its part declared what it believed to be the true boundary line, and a communication was made in reply stating what the Province of Ontario thought was the boundary line; subsequently, a suggestion was made for a reference of the whole matter to the Judicial Committee of the Privy Council. That the matter should be referred to some tribunal was agreed to be reasonable, but it was thought by Ontario that the tribunal might better be constituted on this side of the Atlantic, and that suggestion was made on behalf of the Province, and the negotiations for some time stood at that point. In the year 1875, if I rightly remember, the Government of my hon. friend the member for Lambton acceded to the proposal that the tribunal for the disposal of the matter should be formed upon this, instead of the other side of the Atlantic, and with that view a Commission composed of eminent persons was named. Now, that Commission was formed for the ascertainment of the boundary, not for the marking, upon the ground, of a boundary line according to directions and instructions to be given to the Commissioners, but for the purpose of determining what the boundary line was, its marking being a process to be reached subsequently. Parliament was informed during the ensuing Session of the policy of the Government, and of what had actually been done—that the Government had agreed to the reference of this matter to a Commission—and no exception was taken so far as I remember—none, I am confident, by vote—to that policy and action. Then passed before the Commission sat—its operations being delayed by the acceptance by one of its members of an office, thought incompatible with the execution of its duties—



no less than three Sessions of Parliament after this announcement of the Commission, during which there was no proposal or suggestion to reverse that policy—to decide that it was unsafe or inexpedient that this question should be entrusted to a Commission or to this particular Commission. The matter so proceeded, and three years after the formation of the Commission, the Commissioners met and decided the question, and the members of the present Government, understanding the question, had not, even last Session, decided what course they would take—whether the award should be repudiated, or acted upon and confirmed. It is unfortunate that the papers in relation to this question were lost—they were not to be found in the pigeon-holes. Duplicates could not be obtained, and it was utterly impossible for the Government to come to a conclusion on the subject. Since that time, we have had no announcement, except that of the Government the other day of its intention on the subject. That announcement was that it was not the intention of the Government this Session to bring down a Bill for the confirmation of the award. Now, I think the point before us is more serious and grave than a mere territorial question, more important than the question whether the award be strictly right or wrong, than whether there be a mistake, error of judgment, or anything else in this matter. I think the question is one of much greater importance than those suggested. The Minister of Justice says that this award is of no consequence; that the arrangements made four or five years ago for the disposition of this matter by persons high in the confidence of the people of Canada are of no consequence, and that it is fit and proper that the whole question be now thrown open and discussed by a Committee selected by the hon. member for Algoma (Mr. Dawson); that fourteen or fifteen members should discuss the legal and constitutional questions, questions of fact, questions of interpretation arising in this matter, and that their report should dispose of it. Now, I admit there may be cases in which an individual or a nation may be justified in breaking a bargain, or refusing to be bound by an award; but they are, and must be, cases of a wholly exceptional character. A very great responsibility

is assumed by that country, whatever its rank in the scale of nations, which declares it will not be bound by the result of a solemn convention. I esteem this in the same light as a convention between two different countries, for, as between Canada and Ontario, they are separate and distinct in this matter. The rights of the one and of the other are, it is said, in conflict. The question, what was the true boundary, was the question for resolution. I do not pretend we are absolutely bound by this award, nor does any man sitting on this side of the House. It is certain we are not so bound, and that the Act made by which this country can be formally bound by any award is an Act of Parliament, and that the power to decide questions of this kind, even by Act of Parliament, was given us not very long ago by an amendment of the British North America Act. But, while that power exists, the question of international morality subsists also, and what we have to consider is whether a case is here made out clearly sufficient to justify the procedure suggested to-day, based as that procedure is on a disregard of the award as a cogent instrument. Now, the first proposition I shall advance is that, as the hon. member for Bothwell (Mr. Mills) well observed, there is a continuity in Government, and that observation applies with still greater force to a question of policy submitted to and practically disposed of by a Parliament, which Parliament had the power and free opportunity, during several Sessions, of pronouncing upon, and which never pronounced, nor was even asked to pronounce, adversely to that policy. I maintain that Parliament has assented to that policy. I say this question rests, with respect to the Government of the day, just in the same position as if the Government of the day had been responsible for the original Commission. No hon. gentleman opposite can say that the present Government, or any of its supporters, are any the less bound than was the Government of the hon. member for Lambton in reference to the issue of this Commission, or its consequences. My second proposition is that, if it be proposed not to ratify the award, but to open the question again, and throw that instrument aside, such a proposal as that should be made.

upon the responsibility of the Government of the day, and with all the gravity which such a course of action demands. I maintain that it is for the Government which feels that there has been such a serious miscarriage of justice, such a gross mistake, such a dreadful error or worse as to render it necessary that an international award—using the most convenient, though not a strictly accurate phrase—should be discredited and cast aside—it is for the Government which reaches that painful conclusion to come down and say so to the House, and to bring forward its justification for such a line, and to propose its solution. I maintain that no question of this description should be pitchforked into the hands of a Select Committee at the instance of a private member. I do believe the appointment of a Select Committee to discuss a question agitated so many years, in reference to which it is said there is so much evidence before the country and the House, and so much more to come, would be nothing but a farce. I do not think that, with the other duties which the members of the House are called on to perform, it is other than farcical and ridiculous to suppose that any great additional light would be thrown, during our brief Session, on this question. But the proceeding proposed is an easy mode, perhaps, for the Governments to escape responsibility and to procure some opinion from a Committee, that the boundaries are different from those laid down, and, having procured that opinion, and fortified thereby, the Government may take courage, some other time, to enter upon more active proceedings to repudiate more fully the award. What I object to in their conduct is the skirting of responsibility involved in this procedure. I should not have yet made this objection if a member of the Government had not supported the proposition that a private member should move for a Committee of Enquiry in this matter. What a novel and entirely indefensible proposal it is that a private member should take charge of this great material and moral question—moral as to whether a national award should be set aside, and material as to the extensive territory involved. It is the bounden duty of the Government itself, if disposed, to take steps which, in its opinion, the interest of the

country requires—steps tending to the disturbance and upsetting of this award,—so to state, frankly, itself, to propose those steps on its own responsibility, and to justify its course. Holding those views, I object to the appointment of the Committee, and I hope the House will be divided on the motion. I also object to the composition of the Committee, which, I think, should be chosen by the House. But my main position is that the responsibility properly devolves on the Government of dealing with the question which I, as a resident of, and a member from, the Province of Ontario, I do not hesitate to declare, I regard as infinitely more important in its moral than in its material aspect.

SIR JOHN A. MACDONALD: The hon. member for West Durham (Mr. Blake), in his concluding remarks, says the Government desires to escape the responsibility of adjudicating or deciding on this question, by allowing the hon. member for Algoma (Mr. Dawson) to present this motion. I never have understood that the submission of any subject to a Committee is an avoidance of any responsibility that constitutionally is thrown on the Government of the day. A Committee of this kind may assist the Government, but can in no way deprive them of, or shield them from, any responsibility the Constitution imposes on them. But the hon. gentleman went on to say that this Committee, if struck, should stand on the responsibility of the Government, and not appear the result of the act of a mere private member. Well, if it be true that a private member cannot introduce a resolution on this subject, how can a private member introduce a Bill? I understand that the hon. member for Bothwell (Mr. Mills)—a private member, without consulting with the Government, I suppose for the purpose of helping the Government to escape or avoid its proper responsibility,—has taken upon himself to relieve the Government in the matter, by the introduction of a Bill on the subject. The hon. member for West Durham seems resolved to help us too. We are very much obliged to the hon. gentleman, but we will take the responsibility of any ultimate action on this subject. The manner in which the discussion arose has been correctly stated by the member for West Durham. It is quite true that the

instructions given by the Dominion Government were limited to the ascertainment of the true line according to the law. It was not the desire or intention of the Dominion Government to pass by the Commission, or act of the Commission, to decide that question. The great question was—what was, by law, the legal boundary between Ontario and the western country? This question, the members of the present Government thought then, and think now, should only be decided by a legal tribunal. The British North America Act of 1867 provides that the western boundaries of Ontario and Quebec shall be the western boundaries of the old Province of Canada, as provided under the Acts constituting the Province of Canada. The proposition was made that the question should be left to the Judicial Committee of the Privy Council. And why? Because it was a question of law, of the construction of a Statute, as to the boundaries of the old Province of Canada, according to the Imperial Statute; and no other tribunal could satisfactorily settle that question but a court of the highest resort. We should all have been obliged to submit to that perforce. The enlargement of Ontario, or the diminution of its bounds, was not a matter that could be raised or decided before any ordinary tribunal. If the Judicial Committee of the Privy Council, or court of highest resort, had solemnly declared that, by the law of the land, the boundary between Ontario and the North-West was so and so, it would have been satisfactory. But the Government, without the previous consent of Parliament, left the question to three Arbitrators, only one of whom was a lawyer, the other two being laymen, and provided that the decision of the majority should be final. So that we might have had the two laymen differing from the legal Arbitrator, and deciding as to the construction of a Statute, upon the question of the boundary according to that Statute. It seems to me it was a most unwise thing to assume so great a power without the previous solemn deliberation of Parliament. It is well enough to say it was afterwards mentioned in Parliament, after the good faith of the Government was pledged, and that no objection was taken by Parliament. That is not the way in which Parliament ought to have been

treated by the Government, its servants, who ought to have taken it into their confidence. The right to submit the question in this manner ought to have been given by Parliament, instead of its being assumed to be within the proper jurisdiction of any Government, which I deny. No Government could thus decide to give away hundreds of miles of country, or millions of acres of land, without the authority of Parliament. The member for Bothwell says that this Government is continuous. Yes, but Governments are not despotic; and this act far exceeded the right of any Constitutional Government. Fancy the Government of England leaving it to be decided by a Commission whether France or England should have the Channel Islands, which formerly belonged to the Duchy of Normandy, without the previous submission of the question to Parliament? In the present case, it was always believed that the reference was to be: what was the true boundary according to law, and the nature of the respective titles of the Dominion and Ontario? Does the member for Bothwell mean to say that this is the true line? Has he not written a book to show that Ontario has a right to infinitely more land? Has he not declared that this Arbitration is not an award of what the real line, according to law, is? But they have settled a boundary and made a mistake similar to that of the King of the Netherlands, with respect to the boundary between New Brunswick and the United States. He made the mistake of running a compromise line. They did not commit any breach of faith—such was never charged by the British Government.

**MR. BLAKE:** Neither the United States nor the British Government assented to it.

**SIR JOHN A. MACDONALD:** The British Government would have been pleased to accept that award if the United States had accepted it as a compromise line. Both parties declared it was not the line—that it was beyond the reference. There was no breach of faith there; and, if the British Government had assented, there would have been no breach of faith in regard to the award, which far exceeded the powers given to the Arbitrators. So it is in this case. The Bill declares that it is not the true line.

MR. MILLS: No.

SIR JOHN A. MACDONALD: It declares distinctly that it is not the true line.

MR. MILLS: The Act of the Ontario Government claims more; and the Government of Canada maintained that it was less.

SIR JOHN A. MACDONALD: Exactly; the hon. gentleman will not argue that in a Statute the Legislature of Ontario would assert a claim which they do not believe to be a just one. The Act states that they would claim a larger line and a much larger proportion of country.

MR. MILLS: They say that they have done so.

SIR JOHN A. MACDONALD: You must remember, Mr. Speaker, that the two questions are quite distinct. The first is what is the true line between the countries, and the next, what is the expedient line between the countries? To meet cases such as this, an Act of the Imperial Government was passed stating that no Province of the Dominion, or the Dominion, could enter into an arrangement by which any Province may be enlarged or diminished. It was under this Imperial Act that the Ontario Government agreed to diminish their boundaries; therefore, this is altogether a conventional line, and the great mistake in that matter is in the Act assuming a power and leaving it to any three Arbitrators to decide what was the best line between the Dominion and the Province of Canada. The Constitution gave them no such power. It is an unconstitutional assumption; and, in making this reference, they mistake the consequence of an unconstitutional course.

MR. BLAKE: I beg the hon. gentleman's pardon; if I rightly remember, the Commission did not empower the Arbitrators to define what was the best line. It empowered them to ascertain what was the best line.

SIR JOHN A. MACDONALD: No; to determine the line, not to ascertain the line. Moreover, we know that the Arbitrators did not decide it as being the true line. We know that beyond doubt; the hon. member for Bothwell will admit that.

MR. MILLS: No.

SIR JOHN A. MACDONALD: Then I will bring you three elaborate articles

written in the *Monetary Review* by Sir Francis Hincks, giving the whole ground for a decision, and in which it is distinctly stated that they reached the best line they could under the circumstances. The tribunal to which the matter was referred was a bad tribunal, because it was not a tribunal of experts in the construction of Statutes. No one has a greater respect for the general and political ability of Sir Francis Hincks than myself; no one has a greater respect for the high standing and diplomatic weight of Sir Edward Thornton; but neither of them is a lawyer competent to decide upon the consideration of these Statutes. This is a fair and proper subject for discussion in Parliament, met, as we are, to protect the rights of Canada and the rights of the Dominion; and I am quite sure that the hon. member for Bothwell, although formerly a paid agent of the Ontario Government will, as a member of Parliament, feel and assert his independence, and disregard the fact that the Government of Ontario were formerly his clients. I am confident that he will think only of what is just in the matter, as affecting the various Provinces of the Dominion. While the Government of Ontario claim that it is a conventional line, the Government actually decided, without the provision being left to Parliament, that these three men might give away territory equal to any great European Kingdom by a vote of a majority; and, although the hon. gentlemen opposite, when on this side of the House, were bound to protect the interests of Canada, that Government never thought of securing a right of way for the Canadian Pacific Railway from Thunder Bay to Red River. They ought, previous to this arrangement, to have made a bargain, for 20,000,000 acres of land on each side of that road is one of the conditions under which the conventional bargain should have been made. They should have made some arrangement by which the country which was to be opened up at the expense of the older Provinces of the Dominion, should have contributed at all events by land, if not by money, in the construction of the road. They have not only neglected to do that but they did not even procure a right of way, and we have an application

made to Arbitrators to decide how much will have to be paid for every acre of land that is absorbed in that country. The utter disregard of the interests of the Dominion which are involved in this matter is one that calls for the most serious consideration of this House, as well as for the most serious consideration of the people of this country. The Province of Ontario after all, perhaps, will not get as much as it expected, because a great portion of the Indian title to the land is not extinguished; while, in regard to those portions that are extinguished, if the award was consistent, they have the right of sovereignty, and the title belongs either to the Indians or to the assignee of the Indians, which is the Dominion Government. But, if that is the case, then there should have been a provision in the conventional line that, before that country was handed over, the Ontario Treasury should repay, or agree to repay, to the Dominion Treasury the amounts that had been paid to Indians, or agreed to be paid to them in future for all time, for the surrender of these lands. What is the consequence of this reckless conduct on the part of the gentlemen opposite? That the Dominion Government are obliged, under Treaty obligations, to pay money for all time to come for the extinguishment of titles, without the Province of Ontario being asked to contribute directly a single dollar.

MR. MACKENZIE: No, no.

SIR JOHN A. MACDONALD: It is not too much for the Government, acting in the interest of the Dominion as a whole, to say that this matter must be sifted to the bottom. It is clear that it is a conventional line, and, being a conventional line, I do not think we can do better than to have it looked into, in order to ascertain whether it is a good or a bad bargain. If it be a bad bargain, there is no question of good or bad faith in the matter. It is a question for Parliament to decide, whether they will agree to diminish the eastern boundary and give up a certain tract of land which is claimed to belong to the Dominion or not. The hon. mover of the resolution and the hon. member for Bothwell (Mr. Mills) have both made themselves familiar with this subject and may be regarded as experts in this great question. By leaving the matter to a

SIR JOHN A. MACDONALD.

Committee, we will get all the information we require.

MR. MILLS: What about? There is nothing to enquire into, according to your views.

SIR JOHN A. MACDONALD: The hon. gentleman says there is nothing to enquire about; there is a great deal to enquire about. I say it is a conventional line, and the Province of Ontario says it is a conventional line.

MR. MACKENZIE: No.

SIR JOHN A. MACDONALD: The Statute bears out my statement. The Imperial Act allowed the Province, and allowed the Dominion, to alter, diminish, or increase the boundary upon the terms and conditions mentioned. The award was made without any terms or conditions, and without Parliament being consulted about it. Therefore, we have a right, and we should be wanting in our duty to the people of this Dominion if we did not ascertain whether the award was satisfactory to this country and the people of Canada.

House adjourned at  
Five minutes before  
Six o'clock.

## HOUSE OF COMMONS.

*Thursday, 19th February, 1880.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### PRIVILEGE—INSOLVENCY ACTS REPEAL.

#### REMARKS.

MR. BÉCHARD: Before the Orders of the Day are called, I desire to call the attention of the House to a matter which is personal to myself. I was not in the House when the hon. member for Lambton referred to the Bill introduced by my hon. friend from Stanstead, or I might have given such explanation as would have prevented further misunderstanding in the matter. I see, however, that the insinuation has been made that I received from the Clerk the Bill introduced by my hon. friend, and that I kept it hidden in my desk, and sent back to the Clerk a copy of the Bill

introduced last year, with a view to giving my Bill precedence over that of my hon. friend. With the permission of the House, I will relate the facts connected with the case. After my hon. friend from Stanstead had introduced his Bill, and I had also introduced mine, I went to the Clerk to see my hon. friend's Bill, with a view of comparing it with mine, and ascertaining whether his Bill was for a repeal pure and simple, and whether it contained other dispositions respecting insolvency. The answer of the Clerk was that my hon. friend had sent no Bill, but a blank. I returned to my seat and in a few minutes afterwards you, Mr. Speaker, intimated to me by a sign of your hand that you wanted to see me. I went to you, and, while standing by your Chair, you showed me a couple of copies of Mr. Colby's Bill, and offered them to me. I told you one would be sufficient. Then you told me to take the French copy, and that I could keep it, whilst you kept the English copy. These are the facts exactly as I know them, and as they were in this matter. I never had any idea of keeping my hon. friend's Bill from the Clerk, or of keeping it in my desk for the purpose of giving my Bill precedence. I would scorn such conduct as unworthy of a gentleman. I desire now to read a few lines which are entitled "Parliamentary Notes," and which were published in the *Montreal Gazette*:

OTTAWA, February 17th.

"To-day's was short and sweet, the House rising at 4 o'clock. After clearing off a very scanty order paper, the probable discussion on the second reading of Mr. Colby's Insolvency Repeal Bill being struck off by some unaccountable difference between the one as handed to the Speaker and that produced by the Clerk, the latter turning out to be a copy of Mr. Béchard's measure of last year. The little foundlings had been changed by someone, and eventually it turned up in Mr. Béchard's desk, thus exactly completing the parallel to the thrilling adventures of the true heir who, notwithstanding all machinations, comes to his own at last. To say the least, it is curious that this episode should occur just when there is such rivalry between the two sides of the House as to who should introduce the measure, and Mr. Mackenzie's attempt to rule out Mr. Colby's Bill, on the strength of the alleged discrepancy, tallied oddly with the place where it was discovered."

I thought, these insinuations having been made, that it was due both to the House and myself, that I should offer

these explanations, to vindicate my character against slanderous insinuations.

Mr. COLBY: I extremely regret that these insinuations should have been made against my hon. friend, who, I am quite sure, never contemplated the act of deliberately appropriating the Bill which I submitted, for the purpose of getting precedence. I regret that any misapprehension should have arisen out of the circumstances connected with it, for I am sure my hon. friend, whom I have known ever since I entered this House, is quite incapable of conduct of that kind. But, while my hon. friend has been a martyr to the newspapers, I wish also to take this opportunity to do what I have never had occasion to do before, to bring a little matter which is personal to myself, and arose out of the same question, before the attention of the House. I see by a recent newspaper published in this Dominion that, in connection with the very same matter, I have been charged with having perpetrated a trick, in order to gain petty applause. The concluding paragraph of the article referred to is as follows:—

"It may be so, but Mr. Colby's course is very unlike that usually pursued by the member for Stanstead, and resembles rather a specimen of Yankee smartness and trickery, which might be expected in the United States Congress but not in a British House of Representatives."

The article is headed an "Un-British Trick." I also have observed, in two other newspapers, paragraphs of a similar purport, although not couched in precisely the same language. I think it but fair to the hon. gentleman who has just taken his seat, and to myself, that any misapprehensions which have arisen out of this matter should be disproved by a clear statement of the facts, for, while I should extremely regret that my hon. friend should rest under an unjust imputation, he would, I am sure, equally regret that I should be misrepresented in the same way. I took the opportunity of giving notice, upon the first day of the meeting of Parliament, of the introduction of two Bills on subjects in which I have taken a very great interest in former years: one concerning the Insolvency Act, and the other in reference to petroleum. These notices went upon

the Order Paper before that my hon. friend from Iberville, who also gave notice on the same day of a Bill in reference to insolvency. At the proper stage, I made my motion, and you, Mr. Speaker, asked me to send you a copy of the Bill. I sent you a copy which was a proof-sheet of the Bill, precisely as it is now distributed, both in English and in French, to all the members of this House. By some unaccountable means—by some blunder that Bill was not in the Clerk's possession at the time my hon. friend the member for Lambton made an enquiry in reference to it. My hon. friend from Lambton stated his entire satisfaction with the explanation I had given that the Bill had been placed in the Speaker's hands the day before. My hon. friend from Chateauguay, I believe, also expressed his entire satisfaction with it, and that the proceedings were entirely regular. On one other point, I desire simply to make a brief reference. It has been intimated in these newspapers that I was guilty of some discourtesy in taking the initiative in the introduction of a Bill for the repeal of the Insolvency Law. Now, I am quite sure that, having been a member of this House for many years, the members of this House do not consider me as one who is in the habit of infringing upon rights or wounding the feelings of other members, and, if I took an early opportunity of introducing that Bill, I was not under the impression that there was any impropriety in my so doing, after having introduced a Bill in 1871 against the Insolvency Laws, and carried it against the Government I was then supporting. I also introduced a similar Bill in 1872, and carried it by a most persistent and laborious effort against the Government I was then supporting, and I have, from time to time, in season and out of season, and on all occasions, endeavoured either to effect an entire abolition of what to my constituents and myself, is an obnoxious law, or its thorough amendment. It seemed to me that there was no unfitness in my coming forward at this early stage and introducing the Bill, which was likely to be effectual in repealing the Insolvency Laws, and if, by so doing, I have wounded the feelings of any member of the House, I sincerely regret it.

MR. COLBY.

PROCEDURE—PREMATURE PRINTING  
OF PUBLIC BILLS.

REMARKS.

MR. BLAKE: I desire to call the attention of the House to a practice which is now being pursued, and which, unless some new practice has been established during last Session, is irregular. I refer to the practice of Public Bills going to the Parliamentary Printer and being printed anterior to their introduction. I never heard before that any member had the right to have his productions of that description printed. We know that Government Bills are sometimes printed before the commencement of the Session, and introduced in that way. I always understood that private members' Bills had to pass the first reading before they reached the hands of the Queen's Printer. While on this subject, I may refer to another proceeding which seems to be also irregular. We have found on our desks, during the last few days, slips printed by the Queen's Printer intimating the intention of two private members to propose amendments to the Bill for a repeal of the Insolvency Law. While it is competent and very convenient to give notice on the Notice Paper in the usual way of such amendments, it is contrary to our practice, that there should be separate fly-sheets printed and distributed in this manner.

MR. SPEAKER: It is my intention to call the attention of the Clerk to the rule and I will see that it is not disregarded again.

MR. BLAKE: You will observe that the early printing of the Bill gives to a member who is allowed the privilege the advantage over one who is not, and, in the present case, had the member for Iberville been fortunate enough to catch your eye, he would still have been postponed at the second reading by virtue of the earlier despatch in printing accorded to the member for Stanstead.

MR. COLBY: It would have made no difference in my case.

MR. BLAKE: If the hon. gentleman will look at the Notice Paper of the last few days, he will find that it might have made a difference.

## PROCEDURE—NOTICES FOR PUBLIC BILLS.

## REMARKS.

MR. HOLTON: While on the subject of a procedure of the House, I might remark that there is another irregularity not of recent origin, but which has led to inconvenience on this occasion. It is that notices for the introduction of Public Bills—I refer to the two days' notice—do not appear upon the Orders of the Day, as well as upon the Votes and Proceedings. Then the question arises whether the gentleman presenting or introducing a Bill has given the regular notice, and it is necessary to refer back to the Votes to settle the question. If the notice should appear in the Votes and Proceedings and on the Order Paper as well, the question of precedence could readily be determined, and such difficulties as have just arisen could hardly occur.

MR. SPEAKER: As the hon. gentleman from Chateauguay is aware, notices of motions for the introduction of Bills, in accordance with the practice of many years, are never put upon the routine papers. If it is the desire of the House—and I think a change might be made very properly—we might alter our procedure in the direction suggested.

SIR JOHN A. MACDONALD: There is no settled practice of the House in this regard. Some settled practice should be adopted. I think that motions for the introduction of Bills should appear amongst the notices of motion.

MR. HOLTON: There is a manifest inconvenience in allowing Bills to be introduced as at present. Their appearance on the Notice Paper would establish their precedence.

MR. SPEAKER: In that case it would be necessary to insert a paragraph at the head of the Orders of the Day, and give the Bills in the order in which they should be presented each day. If the House desire such should be done, I will give the necessary orders.

## COMMITTEES APPOINTED.

SIR JOHN A. MACDONALD reported lists of members to compose the Select Standing Committees of the House, from the Special Committee appointed to prepare said lists.

*Ordered*, That the said Report be concurred in.—(Sir John A. Macdonald.)

The following Committees were also appointed:—

Select Committee to assist Mr. Speaker in the direction of the Library of Parliament so far as the interests of this House are concerned, and to act as members of a Joint Committee of both Houses on the Library.—(Sir John A. Macdonald.)

Select Committee to supervise the Official Report of the *Debates* of this House during the present Session, with power to report from time to time.—(Mr. Bowell.)

*Ordered*, That a Message be sent to the Senate requesting that their Honours will unite with this House, in the formation of a Joint Committee of both Houses, on the subject of the Printing of Parliament, and that the members of the Select Standing Committee on Printing will act as members of the said Joint Committee on Printing.—(Sir John A. Macdonald.)

## BILLS INTRODUCED.

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

Bill (No. 10) To regulate the employment of children, young persons and women in the workshops and factories of the Dominion of Canada.—(Mr. Bergin.)

Bill (No. 11) To regulate the encumbering of real estate, by loans of money, or otherwise.—(Mr. Orton.)

Bill (No. 12) To encourage the sale of farm produce.—(Mr. Vallee.)

## SUPREME AND EXCHEQUER COURTS ACTS REPEAL BILL.

(Mr. Keeler.)

## FIRST READING.

MR. KEELER introduced a Bill (No. 13) To repeal the Supreme and Exchequer Courts Act, and the Acts amending the same.

MR. ANGLIN: Opposition was offered last Session to the introduction of a similar Bill. In my opinion it is due to the people of the country that the Government should take upon itself to oppose the introduction of a measure which must be looked upon as an attack on the valuable institutions of this country. This is a very serious question, and I think it is scarcely right to allow the introduction of this measure, unless the Government believe that such a question should be seriously discussed. I have a very strong feeling that they should take the initiative and resist a motion of this kind.



SIR JOHN A. MACDONALD: Perhaps my opinion may not be of much weight on this question; but I do not think it at all necessary to oppose a Bill of this kind. I think a Court of Justice or an institution of any kind which cannot stand investigation cannot stand very high in the estimation of the country. I shall be glad to hear any discussion on this or any other matter, and I do not think that allowing the Bill to be introduced can be objected to. I think to object would be an act of discourtesy to the hon. gentleman who proposes to introduce it. The Supreme Court, I admit, is a high tribunal, and one which should receive the protection of the Government and the Country; but the Senate and other institutions have been attacked before now; and, although I do not believe in the expediency of abolishing the Senate, still I should not object to the introduction of a Bill to do away with it altogether, if any hon. member should think proper to introduce such a Bill.

*Bill read the first time.*

#### SABLE ISLAND—TELEGRAPHIC COMMUNICATION.

##### QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to connect Sable Island with the mainland of the Province of Nova Scotia by marine telegraph, during the present year.

SIR JOHN A. MACDONALD: That is under the consideration of the Government.

#### STRATFORD POST-OFFICE AND CUSTOM-HOUSE.

##### QUESTION.

MR. HESSON enquired, Whether the Government have decided to accept the valuable lands proposed to be donated by the town of Stratford for the purpose of erecting a post-office and Custom-house thereon; and, if so, is it the intention of the Government to erect said post-office and Custom-house at an early date?

SIR JOHN A. MACDONALD: In the absence of the Postmaster-General, I may state that we do not find that there has been any such offer made to the Government.

SIR JOHN A. MACDONALD.

#### MANITOBA—ALLOTMENT TO MINORS. QUESTION.

MR. SCHULTZ enquired, Whether it is the intention of the Government to proceed with the allotment to minors in the unallotted parishes of Manitoba.

SIR JOHN A. MACDONALD stated that the allotments had taken place in St. Boniface and several other parishes, and were received on the 17th instant, and the Agent of the Dominion reported that the allotment in St. François Xavier and the remaining parishes would be sent in a few days.

#### BOUNDARY BETWEEN ONTARIO AND UNORGANISED TERRITORIES OF THE DOMINION.

##### ADJOURNED DEBATE.

House resumed the adjourned debate on Mr. Dawson's motion:—"That a Select Committee be appointed to enquire into, and report to this House upon all matters connected with the Boundaries between the Province of Ontario, and the unorganised Territories of the Dominion with power to send for persons and papers; said Committee to be composed of Messrs. Dawson, Robinson, Geoffrion, DeCosmos, Brecken, Royal, Trow, Mousseau, Caron, McDonald (Cape Breton), and Weldon, of whom five to form a quorum."

MR. MACKENZIE: Before the vote is taken, I desire to notice very briefly some arguments and statements made by hon. gentlemen opposite in the debate yesterday. I regret that the hon. the Minister of Justice is not in his place, as I desire to allude to some of his remarks, but I will defer doing so until later on. The hon. gentleman at the head of the Government strongly objected to the mode of settlement, and devoted remarks yesterday to showing that the course pursued by the late Government was not one which should have been taken; but there are some reasons why we may fairly doubt whether his own opinion was always in that direction. When the matter was first brought under discussion, under the late Sandfield Macdonald, that gentleman employed the hon. member for Halton (Mr. Macdougall) to make some preliminary examinations by inspection of maps, plans, books, papers, Acts of Parliament, and other documents. I do not propose to discuss the report of that hon. gentleman at all; but he was the one who, in the first

place, suggested an arbitration for the settlement of this question. He reported officially on the 9th of March, 1872, (that was in his second report) that he "suggested in a friendly unofficial way, to members of the Dominion Government, and of the Government of Ontario, the expediency of appointing, before the Commissioners begin their discussion, a third person of ability and position unconnected with Canada, to act as umpire in case of dispute, subject of course to the approval of Parliament; and then he says, so far as "he could judge, Sir John A. Macdonald and Sir George E. Cartier, to whom he made the suggestion, viewed it favourably." I do not present this as any argument to prove whether the proposal once made by hon. gentlemen opposite, namely, to refer the matter to the Privy Council, or that proposed by the late Administration, to have Arbitrators named on this side of the Atlantic to decide the question was the best, but I mention it as showing that at one time our scheme was favourably entertained by the hon. gentleman at the head of the Government. We conceived it to be the best, because we believed that access to such documents as could only be obtained in England and France could as well be obtained for use here in this country, and a larger amount of evidence could be obtained on this side of the water, where the whole question was better understood than in England; and we believed, that people on this side were much better acquainted with the history of, and all matters connected with, the subject than any Judges of the Privy Council could possibly be. This, I admit, is a matter of opinion; but we had no doubt upon the question; and we informed Parliament when the Arbitrators were appointed. The hon. gentleman at the head of the Government took exception yesterday because only one legal gentleman sat as an Arbitrator, although that one occupied the highest position that could be attained at the Bar of the Province of Ontario. The late Judge Wilmot, of New Brunswick, was named by the Dominion Government; but, before the Arbitrators could meet, he died. It then became the duty of the Administration to select someone in his place, some one of position, and possessed of high abilities; and their selection fell upon Sir Francis Hincks. I think no one will

venture to say that that gentleman was not eminently fitted to undertake the office. He had been Prime Minister of Canada for years, and subsequently acted as Governor of another Colony; had spent most of a long life in the country, and was well qualified, from his natural abilities, to fulfil a duty of this kind. No objection was taken to him at the time; and only now is the objection taken, because he was not a member of the legal profession. It has been the custom in appointing Arbitrators to select one legal gentleman, while the other two are laymen, so that no real exception can be taken on that ground to the Arbitrators. The hon. the Minister of Justice yesterday, and the mover of the motion before the House, made some remarks. I am not quite sure that the Minister of Justice said much on the point, but the mover of the motion, did say that the parties who were appointed by the Dominion Government to conduct the case before the Arbitrators were not able to conduct the proceedings.

MR. McDONALD (Pictou): I said nothing of the kind.

MR. MACKENZIE: That was certainly implied. The gentleman who moved the resolution, however, did not hesitate at all in saying so.

MR. DAWSON: The hon. gentleman will pardon me, but I did not say so.

MR. MACKENZIE: The hon. gentleman even impugned the integrity of the award, and stated that the proceedings were not properly conducted. The award might be wrong, but, at the same time, nothing can be alleged against its integrity. The hon. gentleman who moved the resolution reflected upon all those who were managing it. He said the case on the part of Ontario was admirably conducted and was altogether better managed than that of the Dominion. Now, Sir, in the first place, the hon. gentlemen opposite appointed a very eminent lawyer in Montreal, Mr. Ramsay, and he prepared the case. A pamphlet, which was published and was before the Arbitration, contained Mr. Ramsay's case. That gentleman became a Judge, if I recollect aright, before the proceedings had gone very far. I do not say that Mr. Ramsay was appointed to appear before the Arbitrators, but he was appointed to prepare the case before the Government of the hon. gentlemen opposite left office, and they had, of course,

the advantage of that gentleman's investigations. The late Administration afterwards appointed Mr. John Armour, one of the present Judges of the Court of Queen's Bench in Ontario. No one can allege that Mr. Armour was incapable of conducting a case of that kind, or that he was not amongst the ablest men of Ontario to whom such a case could be submitted. He was succeeded, after giving considerable attention to the case, by Mr. Monk and Mr. McMahon, of London, who spent months studying the question, gentlemen who finally conducted the case to conclusion before the Arbitrators, assisted always by the Deputy Minister of Justice; and no one who was present at any of the meetings of the Arbitrators could doubt that the very greatest possible attention was given by all the parties who were engaged by the Dominion Government in the settlement of the case. Now, Sir, the hon. the Minister of Justice was not able yesterday, apparently, to confine himself to the argument upon the merits of the case. He went out of his way to allege that the Government of the Province of Ontario took good care not to mention anything about the amount of money which the Government had to pay in 1870 to the Hudson's Bay Company. They were willing, he said, to take the territory, but they took care to make no claim to it until the Government had expended a large sum in paying the Hudson's Bay Company for their territory.

MR. McDONALD (Picton): I am sure the hon. gentleman does not wish to misconstrue what I said. I said that it was a subject of enquiry why Ontario did not raise the question of the boundary at the time of the negotiations with the Hudson's Bay Company.

MR. MACKENZIE: The hon. gentleman spoke at the time of money that had to be paid.

MR. McDONALD (Picton): I mentioned payment incidentally, but that was the argument.

MR. MACKENZIE: Both the argument and the implication were that Ontario wished to obtain possession of some territory for which money was paid to the Hudson's Bay Company.

MR. McDONALD (Picton): On the contrary, the very point I raised was raised in the case by Mr. McMahon himself, that Ontario, if she had a right,

waived that right by not making a claim during the negotiations.

MR. MACKENZIE: I do not know what claim she could possibly have to make; there was no claim whatever in the matter. The question was, where was the boundary? The hon. the Minister of Justice spoke as if Ontario was claiming part of the Hudson's Bay Company's territory. Ontario claimed nothing of the kind. I asked the question across the House, if the hon. gentleman could tell me how much of the Hudson's Bay Company's territory Ontario was claiming, and he was not able to tell me.

MR. McDONALD (Picton): Yes, I did; I said all that was west and north of the true line.

MR. MACKENZIE: And that is what the hon. gentleman considers the Hudson's Bay Company's territory; and he asks if Ontario was simply claiming what was Ontario's. Ontario wanted nothing but her own true boundaries, and whatever was within those boundaries the Hudson's Bay Company had nothing to do with; and, when the hon. gentleman made an attempt yesterday to cast imputations of selfishness and impropriety on the Ontario Government and people, he forgot the very basis of the claim. Why, Ontario could not, and dared not, claim before any Arbitration a portion of the Hudson's Bay Company's territory, and it was for that territory that the money was paid by the Dominion Government—£300,000 sterling. Now, the question to be decided by the Arbitrators was simply, what were the true boundaries of Ontario, and, in order to ascertain that, it became necessary to examine maps, treaties, Acts of Parliament, Governors' Commissions, and all correspondence, and even the speeches of public men in the Imperial Parliament. Such were the documents presented by the respective parties to the contest, before the Arbitrators, and it was upon the careful perusal of all such documents, maps, and treaties, and the natural wording of the Act of 1774, that the decision was ultimately given. The hon. gentleman, if I recollect aright, then—if not himself then it was his leader—ridiculed the idea of Governors' Commissions being at all referred to, as overriding in any respect other evidence or constituting evidence in themselves. Governors' Commissions

MR. MACKENZIE.

were simply cited as evidence that whatever territory was covered by them and the accompanying Instructions must necessarily have been included in the old Province; that that would be not only very strong corroborative evidence, but would be actually positive evidence that the territory was so defined and appointed. The hon. the Minister of Justice also referred to the language of the Act of 1774. Now I am quite sure that the hon. gentleman, if he looks at the language employed in that Act, will think that it entirely goes against the interpretation that he put upon it. I do not intend at the present moment to enter upon an argument as to what the boundaries were or were not, nor would I refer to this at all for a moment but for the remarks of the hon. gentleman himself, who took it for granted that northwards from the junction of the Ohio and Mississippi rivers must mean due north. Now if you were to make such application of the words westward on the Ohio River, you would never reach the junction of the two rivers at all, because it is not due west, but a very long way off due west, and, if the term westward means along the banks of the Ohio in a westerly direction, it is clearly the case at the same time that the word northward along the banks of the Mississippi must mean the same thing. You cannot interpret the two words in a different way.

SIR JOHN A. MACDONALD : "Northward along the banks of the Mississippi" is not in the Act.

MR. MACKENZIE : I am speaking of the word "northward."

SIR SAMUEL L. TILLEY : And "along the banks of the Ohio" is not in the Act.

MR. MACKENZIE : But that makes no difference as to the interpretation of the two words, because, if it was meant to be due north the words would be used "due north" not "northward." Why should the word northward be used? Simply because the word westward was used in the sentence immediately preceding? The word northward indicated the line to be taken, and, besides that, the banks of the Mississippi were used in other documents as the boundary which was there described in the Act of 1774 showing that there was no ground whatever for the contention that due north

was the direction intended to be indicated. Another point which the hon. gentleman at the head of the Government made was this. He said: What was to become of the Indian land? The Dominion Government had extinguished the title to lands in a part of this very country covered by these negotiations; were these lands to become the property of Ontario at the expense of the Dominion? he asked. Well, I may ask the hon. gentleman if this is the first case of the kind that has occurred in which lands so situated were dealt with. The hon. gentleman knows it is not. The hon. gentleman has only to search the public documents and he will find that the lands covered by the Robinson Treaty next to the lands he now speaks of, many years ago, are embraced in the definition of the boundaries of Ontario by himself. He knows also that the Dominion of Canada treated these Indian subsidies under the Robinson Treaty as a mere matter of account chargeable against the Province of Ontario, and all the money that the Dominion Government pays out for subsidies to Indians upon land within the territory of Ontario, is to be repaid to the Dominion Government by Ontario. Now, I recollect very well calling Mr. Mowat's attention to this very thing. I have no strong impression, however, of that territory, and I told him that, so far as my personal opinion was concerned, I would rather have the Indian money paid back than have possession of the territory. According to the plan pursued with the land held under the Robinson Treaty, the Dominion Government could have the right to claim the sum of over \$100,000, already paid to the Indians, under Treaty No. 3, that is for the Indian lands east of the line through the centre of the Lake of the Woods; nearly the whole of the lands embraced under that Treaty were embraced also in the territory declared by the Arbitrators to be within the boundaries of Ontario, and we would be entitled for all time to the amount of the annual annuities payable to the Indians, which was something between \$17,000, and \$18,000. The argument, therefore, of the hon. gentleman at the head of Government was without a particle of force in this respect, as we had no difficulty whatever in regard to the transference of claims for the Indian lands. The hon.

gentleman at the head of the Government based a long argument, mixed with a good deal of declamation upon the fact that the word "determine," which was the word used in the Ontario Act, did not convey the idea of a final definition of the true boundary line but of a conventional line. It so happens that the word "determine" does not bear the meaning that the hon. gentleman attached to it, and that it was used through all the correspondence and negotiations—in the first Order in Council passed by the Dominion Government on 12th Nov., 1874, appointing Mr. Wilnot to represent the interests of that Government; in the Ontario Order in Council, appointing the Hon. Mr. Richards, late Chief Justice of Ontario and of the Dominion; and the award of the Arbitrators proceeds in this way:—

"The undersigned having been appointed by the Governments of Canada and Ontario as Arbitrators to 'determine' the Northernly and Westernly Boundaries of Ontario, do hereby 'determine' and decide that the following are  
\* \* \* such boundaries."

Then comes the specification of the boundaries, followed by a description of the true boundaries as there ascertained. The word "determine" is not only in itself a perfectly proper word, but it happens to be a word that was used throughout all those documents, where the object was to ascertain the true boundary. The preamble of the Ontario Act of 1879, containing the foregoing, then proceeds as follows:—

"Whereas, the effect of the said award is to give to this Province less territory than had been claimed on behalf of the Province, and more territory than the Government of Canada had contended to be within the limits of the Province, or than was contained within the Provincial boundaries aforesaid."

After which follows an extract from Cap. 28 of 34 and 35 Vict. giving the authority to define and alter boundaries. This language in the preamble, and in the recital of the above Act, was assumed by the hon. gentleman opposite to be in itself an acknowledgment that Ontario received more than she was entitled to, whereas the language was simply used as a recital of the authority by which the Legislature was empowered to declare in conjunction with the Dominion Government the boundary ascertained. The

claim of Ontario was one which the Arbitrators had no difficulty in coming to a conclusion upon. The hon. gentleman, therefore, cannot claim that the mere recital of the words which were used in the Imperial Act could be used to vitiate the claim of the Province of Ontario, or to imply that the Ontario Government conceded that it was obtaining territory it was not entitled to or expected. It was in fact using the language of the Imperial Act. The language of the first section of the Ontario Act was sufficiently extensive to put beyond dispute any claim in the future which might be brought up in the Courts of Justice, as to whether this was or was not the true boundary. Assuming that it is possible that the Arbitrators have made a mistake, even if a mistake has been made in any particular, the award nevertheless remains as a final award, and the boundaries so declared will be for all future time the true boundaries of the Province of Ontario. The hon. gentleman at the head of the Government seems to think it is a very light thing to set aside an Arbitration of this kind; he seems to think that because a new Administration is in office, it is quite competent for it to treat the old Government and all their Acts very much as the Stuarts after the Restoration treated all the administrative acts and legislation of Oliver Cromwell. Our Administration would appear to have been treated as a usurpation of authority, and the hon. gentleman himself and his friends to be the true rulers, by divine right, of this country. That appears to be the hon. gentleman's doctrine, and it is his doctrine in relation to many things beside the case under discussion. I have no objection whatever to the hon. gentleman using his power in this House to set aside the legislation of the last Government if he thinks it wrong, but I fear that, if he were living in another country, he would find some difficulty in setting aside solemn treaties that have been entered upon, such as the Treaty for the settlement of the San Juan question. If the decision on that occasion of the Emperor William were to be set aside, it would be as justifiable from an International point of view as the setting aside of the award in the present case. The hon. gentleman would have no more right to set aside the award than he would have to set aside

the Treaty of Washington. I therefore protest, with all the earnestness possible, against the conclusion at which the hon. gentleman has arrived in this matter, and in the meantime all the evils which could possibly arise from the non-settlement of this difficulty continue to exist. No doubt the Government of Ontario can assume, as they have the right to assume, jurisdiction within what they have believed to be their boundaries, and any question of jurisdiction which may arise can be determined in another way. In the meantime, we know that Justices of the Peace were appointed by the two Governments, and that a conventional line was drawn from Hunter's Island due north, beyond which the Dominion Government could give deeds for land and timber limits, and within which, to the eastward, Ontario exercises sole jurisdiction and authority. Apart from this arrangement about the lands, the inconvenience which will arise from such a state of affairs was pointed out by the hon. gentleman himself in several Minutes of Council, which still exist. Now, I think we have reason to complain of the course the hon. gentleman took in another particular. Unless he assumes that it was desirable that this unfortunate state of things should continue, why did he not take some action during the late Session of this Parliament; how is it that some eighteen months have elapsed since the hon. gentleman assumed office, and he has taken no steps of any kind in order to reach a settlement. I could understand why he delayed last spring; I have no doubt whatever that he delayed it in order to aid himself and his friends in electioneering in the Province of Ontario, hoping to be able to fill certain offices. It did not, however, do him much good, and I venture to say, apart from all sectional considerations whatever, which I trust will find no place in this debate, that public opinion throughout the Dominion will condemn the course that the hon. gentleman has taken, and which is so unjustifiable upon general principles, as well as being against the evidence which we possess to the fact that the Arbitration was conducted impartially and justly, and that no one can claim that either of the Arbitrators who were appointed by the Dominion to conduct the case, has in any way whatever neglected his duty, or

in any way whatever failed to perform all that was expected or required of him.

MR. DAWSON: I beg to say that, in referring to the gentlemen who acted for the Dominion, I meant to cast no reflection upon them whatever. I believe that they were very capable, and I know Mr. McMahon, a personal friend of my own, to be an able lawyer, but I will say that they were placed in a false position, that sufficient time was not afforded them to look into the volumes produced by Ontario, which would take any man a year to wade through. As to the award itself, I pointed out the extraordinary manner in which vast territories had been dealt with, but I certainly did not reflect on the gentlemen who acted for the Dominion Government.

MR. BLAKE: If it would take a year to look into those books, as the hon. gentleman stated, how does he expect the Committee to do it in six weeks.

MR. DAWSON: That remains to be seen.

MR. MACDOUGALL: The hon. gentleman who has just addressed the House was good enough to make some reference to a recommendation of mine, when I was employed as a Commissioner for the Province of Ontario, to investigate this question of its western and northern boundaries, and to report to that Government the facts, evidence, views and opinions resulting from that investigation. I suppose the hon. gentleman gives me some credit—I took it in a complimentary sense—that, on that occasion I recommended the appointment of a third person to act with the two Commissioners appointed by the respective Governments, whose report might take the form of an award. That is quite true, but in attempting to make that recommendation a cover for, or to commit me in any way to the approval of the award which has been made, the hon. gentleman compels me to say that, if the members of this House will refer to the correspondence published in the Journals of the Local Legislature, they will see that it was not intended, nor did it enter into my mind, that the report of the Commissioners should be a definitive award like that which we are now considering. It was to be an examination of the history of the question, a collection of material facts which might be found pertinent to a

decision of the question, Is there a western or northern boundary line of Ontario? If we found it, we were to report the fact. We had no authority to make or declare a boundary. With the indulgence of the House, I will take the opportunity to make a few remarks upon the gravity of the question we have to deal with, and upon the objections which have been made to the proposition of the hon. gentleman opposite (Mr. Dawson) to refer to a Committee of this House the duty of examining and reporting upon this award. In the first place, the extent of territory that is involved, the material interests that are at stake—or rather the control and jurisdiction over these material interests—as well as the political questions involved in the action which this House is invited to take by the hon. gentleman opposite, when he asked us to approve of the award, are too important for off-hand or summary treatment. I have in my hand a report prepared by the Ontario Government, accompanied by a map illustrating the extent of territory, and the importance of the interests from a Provincial point of view that are involved in this question. I will take the liberty of reading a single paragraph which will enable the House to see how important, in the estimation of the Local Government of Ontario, at least, is the question we are now discussing. In mentioning the area of country involved, the compiler of this official document states :

“The district included within these boundaries is of equal if not greater area than the whole of the rest of Ontario, exclusive of the Lakes Ontario, Superior, Huron, and Erie. Omitting those Lakes the Province, within the limits embraced in the proposition of the Dominion, contained about 64,000,000 acres, or 103,000 square miles of territory. From the Quebec boundary line—from Lake Temiscamingue to James Bay—to the Lake of the Woods, the distance cannot be much less than seven hundred miles; while measured from north to south the new territory covers a breadth of country varying from over three hundred to one hundred miles; the Province of Ontario will consequently in future possess an area of fully 200,000 square miles. This is 80,000 square miles greater than the area of the United Kingdom; only 12,000 square miles less than the whole German Empire; only 2,000 square miles less than France, and equal to the combined areas of Holland, Portugal, United Italy, Switzerland and Belgium. The awarded territory alone possesses an area greater by 20,000 square miles than the group of countries just named, excepting Italy.”

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So it will be seen from this short statement, that a very large portion of the earth's surface is waiting the decision of this Parliament with respect to its future municipal and territorial jurisdiction. It cannot be said that such a question ought to be disposed of *per saltum*, by a new Parliament. A large number of the members are new to this question—at least they have not dealt with it as legislators hitherto, or been called upon to investigate or discuss it. I have already found hon. members, well informed on most questions, who say they have not had an opportunity of perusing those documents and voluminous reports, one by the late Minister of the Interior, and another by a distinguished literateur of Toronto, Mr. Lindsey, and another published by the Ontario Government, which deal with the history of the question. If members desire to inform themselves as to the truth and cogency of the statements made by the advocates of the different boundaries proposed, and to pronounce intelligently upon the merits of the case, it will be necessary that some means be adopted to furnish the House with information, and that time be given it to decide. I am not quite convinced that it is not the duty of the Government, in a matter of such gravity as the present, to take the matter into their own hands. I confess I felt the force of the objections made on the other side of the House, against handing over a question like this to a private member, allowing him to take the control of it, and to name the Committee, of which he is to be Chairman. So far as I can judge from the speech of the Minister of Justice, yesterday, and from what has since transpired, the Government do not object to this Committee. If appointed, I think it will be necessary for its members to go over the whole ground already traversed by those concerned in the previous discussions. I think that, the question having remained for nine years since the first Commissioners were appointed, without friendly settlement or final adjudication, it may properly remain a few weeks, or even a few months longer, under investigation, before the Parliament of the Dominion is called upon to make its final judgment in the case. As one of those concerned in the earlier enquiries into the question of our north-western boundaries, and having been

charged with the duty of examining and reporting upon them, I have always felt anxious for, and have urged a speedy settlement. The Government of the Dominion in 1871, as well as the Local Government of that day, felt the importance, in view of the administration of justice in the disputed territory, of having it clearly established what authority had jurisdiction in it. The Local Government of Ontario in 1872—a change having taken place, and the member for West Durham having acceded to the Premiership—thought proper to take this question into their own hands, in a spirit wholly different from that which moved those who first undertook to settle it. The case was being investigated, Commissioners had been appointed, one by the Dominion and the other by Ontario; but final instructions had not been given them, and they had never met. It had been part of my duty in connection with the negotiations for the acquisition of the Hudson's Bay Territory, to examine the maps and authorities bearing on this subject. On the resignation of Mr. Sandfield Macdonald, and the assumption of office by the hon. member for West Durham, I was called on suddenly to report as to the progress of the Commission. After some correspondence between the Local and Dominion Governments, I was called upon to report my views, opinions and conclusions, with reference to the whole case. In obedience to this pressing demand, I prepared a Report, which you will find in the Sessional Papers of the Local Legislature for 1873, Part 3. It is merely a preliminary paper, setting forth the difficulties of the question, and the different constructions which might be put on the Act of 1774, and referring to the Commissions and Instructions given to the Governors of the Province of Quebec, with other authorities. It states also the conclusions at which I, as an individual, had arrived, after reviewing all those authorities. As soon as that paper came into the possession of the Local Government, I was instructed to cease all operations or proceedings as a Commissioner. In fact, I was very civilly, or, perhaps, I should say, uncivilly, dismissed. I was discharged, at all events, from any further duty or concern in the matter. The member for West Durham took the case into his own hands, as head of

the Local Government, and, after some correspondence, which you will find in the papers published by the Local Legislature, a change of Government took place in the Dominion, the hon. gentleman's political friends acceding to office, and he himself becoming a Minister; and for five years from that period hon. gentlemen opposite, with their political friends in the Local Government, had the question under their control. They had the Dominion Parliament and the Ontario Legislature at their back; the case had reached a certain stage of progress when it fell into their hands, and upon them rests the responsibility for its non-settlement while they remained in power. They did not settle it, although it had been urged previously, on both sides, that a speedy settlement was very desirable, in view of the possible commission of crimes in the disputed territory. Public works were commenced there, under the Administration of the hon. gentleman who now complains of a few weeks delay. The Arbitrators were appointed years ago, and some of them died without having accomplished their mission. In view of these facts, it does not come with very good grace from hon. gentlemen opposite, to press a new Parliament, dealing with this question for the first time, to dispose of it *per saltum*, by a vote, without any enquiry or examination of the different questions connected with it. I believe the majority of the House will take this view, and that the people of Canada will consider that, from the importance of the case, as stated by representatives of Ontario, we ought to enquire into, and carefully consider the question in all its aspects. I have no hesitation in expressing my own opinion that the right of Ontario to claim her boundary in the West, as far as the North-West Angle of the Lake of the Woods, is capable of conclusive demonstration. I do not agree with the Minister of Justice in his strict construction of the Act of 1774. We know now under what circumstances that Act was introduced and how it was dealt with. In 1839 the Report of the Debates on the Quebec Bill was discovered among the Egerton Manuscripts in the British Museum. That report is a very interesting document to the historical student of this country, for it shows the views that prevailed in England as well as in America



with regard to many of the political questions then at issue between the two countries. The Cavendish Debates, as they are called, were reported by a skilful stenographer, and were not published until 1839. From them it appears that, when Lord North introduced the Quebec Act of 1774, in which the boundaries of Canada were defined, he submitted it to the House of Lords on the responsibility of the Government, and in that Act the Mississippi river was distinctly declared to be the Western Boundary of Canada.

MR. MILLS: Of Quebec.

MR. MACDOUGALL: Of Quebec of course, that being the name of the Province then. While the Act was under consideration in the Commons, Mr. Burke, then a distinguished member of that House, and the paid agent of New York, in discharging his duty to his employers, as well as to his constituents, felt it his duty to object to the loose way in which the boundary was declared in the preamble to the Bill. The House suspended proceedings, the report observes, during half an hour, while Burke and other members went up stairs to consult the maps; they came down with an alteration in the description. In the Bill, Quebec was declared to be bounded on the south by the Ohio river, on the west by the Mississippi, on the north by the Hudson's Bay territories. In the amended description, a liminary line is laid down. The description was altered so far in order to avoid interference with the then Colony of New York on the south. With this object Mr. Burke ran a line until he came to the expression "northward," in the original description. He had got down to the junction of the Ohio with the Mississippi, and, having no further interest in the matter, he did not interfere with the Bill any further. But the new description was inapplicable and incongruous, because the words "the left bank of the Mississippi" were omitted. I shall read the description of the country added to the Province of Quebec, by the Act of 1774, as it was expressed in the Bill when it passed the House of Lords:—

"Be it enacted, that all the said territories, islands and countries, (referred to in the preamble), heretofore part of the territory of Canada in North America, extending southward to the banks of the River Ohio; westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the Merchant Adventurers of England trad-

ing to Hudson's Bay, etc., and they are hereby during His Majesty's pleasure, made part and parcel of the Province of Quebec," etc.

All the territories, etc., lying within the bounds mentioned, east of the Mississippi river, were annexed to Quebec, and, except the portion afterwards surrendered to the United States, became part of Upper Canada, when that Province was created. The description in the Act as finally passed, after defining a line on the south to the north-west angle of Pennsylvania, is in these words:—

"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 to the southern boundary of the territory granted to the Merchant Adventurers of England trading to Hudson's Bay."

Now, of course, the whole argument turns upon the proper interpretation of this word, "northward," as used in the Act. We have the Act before us, and, according to a rule of construction which I remember to have read a good many years ago, you cannot look at the surrounding circumstances in interpreting an Act of Parliament. You cannot read the speeches of members of Parliament when the Act was under discussion to discover the meaning of obscure passages. But in more modern times I find that, in the United States, and also in England, the Judges have found it necessary, in delivering their judgments, to consult the records of Parliament, and even to consult *Hansard*. There are cases in our own Courts in which the Judges have referred to what took place in Parliament as a means of ascertaining and explaining the meaning of ambiguous expressions. And I think that, in a great political question of this sort, we are justified in looking into its history. A brief exploration enables us to ascertain the object of the Imperial Government in adding these territories to the old Province of Quebec. The object as stated by Lord North was to include certain trading posts not then within the jurisdiction of the Province of Quebec, in order to give them the advantages of an organised Government. These posts, as we well know, were beyond the boundary which would have been assigned to Quebec if the line were to run due north from the junction of the Ohio with the Mississippi. The very object of the Bill would have been defeated by such a construction.

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There is enough doubt in the case, at all events, to justify its reference to a Committee of the ablest men in Parliament. If the members of this House representing the other Provinces are under the apprehension that, by agreeing to this conventional boundary, they will be giving to Ontario great additional territory and political power, which in the future might be used adversely to their interests, then they have a right to demand that this question shall be judicially determined by the highest judicial authority in the Empire. In that case, I apprehend all parties and all Provinces will acquiesce in the decision. The people of the other Provinces do not, I believe, desire to deprive Ontario of her just rights. If entitled to this territory, she will get it and no one will have a right to complain. The people expect at our hands that we shall defend, not only Dominion, but Provincial rights, and I doubt if any Ontario member on either side of the House will hesitate to exercise the authority given him by his constituents, to defend the rights of the people of that Province to the last. We want the true boundary, so far as it can be ascertained, nothing more, nothing less. Now, let me call the attention of the House for a few moments to the difficulties connected with that question. It is a boundary that can only be ascertained by reference to certain points mentioned in the Act of 1774, and in Royal Proclamations and Commissions to Governors. So long as you are on the Mississippi, you have a natural boundary on the west, but when you get to Lake Itaska, the most northern source of that river, you are left on the prairie, and then, having nothing to explain the course intended by the word northward, I suppose you must go due north. Then on the north we have the limit "to the southern boundary of the territory granted to the Hudson's Bay Company." The Minister of Justice is under the impression that we did not make any attempt to claim or define boundaries in the discussion with the Hudson's Bay authorities. That question, Sir, was very thoroughly discussed, and Mr. Mowat adopts the argument we used on that occasion, and makes it a part of his case.

Mr. McDONALD (Pictou) : I did not say that my hon. friend did not raise the question of boundary at all ; but I said

that Ontario did not, antecedent to that discussion.

MR. MACDOUGALL : The question had not arisen until Confederation, as regards Ontario, and, in every controversy with the Hudson's Bay Company, we always contended that our boundary went very far west of the Height of Land. The Government of Canada, on every public occasion, disputed the right of the Hudson's Bay Company to territory outside of the undefined circle about Hudson's Bay. They took that ground upon the final settlement of the question, when Sir George Cartier and myself represented the Government, and I never heard any complaint about our argument, except my right hon. friend said on our return : " You used pretty sharp language." I, for one, felt very warm upon that question, when I found that an ex-member of the Imperial Government had been appointed Governor of the Hudson's Bay Company, and that, before our negotiations were concluded, we had to meet the arguments of a gentleman to whom we had shown our hand when the statement of our rights as against the Hudson's Bay Company was confidentially laid before the Imperial Cabinet. Our territorial claims as against the Hudson's Bay Company are set forth at length in the correspondence between the Canadian Delegates and the Colonial Office, and our arguments are quoted by Mr. Mowat in his statement of the case for Ontario, as being cogent and in accordance with facts. We were acting of the name and on behalf of Canada. We felt that we were reiterating the views entertained and expressed by the Government of Canada on all occasions since the question was first raised in Parliament, and I am not aware that the contention of the Canadian Government that the proprietary rights of the Hudson's Bay Company were restricted to the country they occupied prior to the Treaty of Paris of 1763, has ever been officially withdrawn or denied. If the Hudson's Bay Company had no legal right to the territory beyond the line laid down on the maps of that period—one or two hundred miles, perhaps, south of Hudson Bay—if that was the extreme extent southward to which they had laid claim, we have now to find, and the Judicial Committee of the Privy Council, if the question be referred to them, will have to

find, the southern limit of the territory of the Hudson's Bay Company as laid down by themselves. That will be as very difficult proposition—a very difficult question to dispose of by metes and bounds. The Hudson's Bay Company at different periods extended their claims. The French Government on the other hand, on behalf of their citizens and traders, pushed the boundaries of the French territory as near to Hudson's Bay as possible. Commissioners were appointed on behalf of the two countries, who met and discussed the matter, and maps were submitted. I do not know that a Court of Law could find any rule or precedent applicable to such a case, that would justify it in fixing a boundary outside of the limits laid down by these Commissioners. I think it probable that a line must be found somewhere between these two. It will be impossible to mark it upon the ground by reference to any known landmarks or natural objects. It will be a matter of reasoning and conjecture, and therefore, in regard to that part of the case, it seems to me the question is one that can very well be disposed of by the authority of Parliament. The country between the southern boundary of the Hudson's Bay territory as claimed either by the English or French Commissioners before the Cession in 1783, and James's Bay, which is given to Ontario by this Award, is of little value for any purpose. It is said to be frozen within a few inches of the surface all the year round. There is no timber there of any consequence, as explorers tell us. It may be rich in minerals, but our country is full of mineral deposits in regions much more accessible. I do not agree with the hon. member for Algoma, that the country is too far distant, to be properly administered by Ontario. I think our Local Government is quite capable of administering justice or doing whatever is necessary for this territory up to James's Bay. The hon. gentleman proposes to establish a new Province in this rocky, treeless, and frozen region—I think we have Provinces enough of that description. I do not find that the Dominion is at all helped, or its financial burdens lessened by establishing new Provinces under such circumstances. We are expending a great deal for Manitoba—a fertile Province—and for the territory beyond and we are about to pay, if this House approves of

the contracts the Government have given out, a good many millions for the construction of a Railway in British Columbia, one of these newly acquired Provinces. I think Sir, in view of these facts, there is not much inducement to the taxpayers of this Dominion to create new Provinces unnecessarily. I see no necessity for it in this case. Ontario numbers nearly two millions—one half the population of this Dominion. It is the richest Province—the most productive Province—of this Dominion. It is the only Province that to-day pays a surplus into the Dominion Treasury. The other Provinces take more out of the Dominion Treasury than they contribute to it.

Several HON. GENTLEMEN : No no.

MR. MACDOUGALL : Hon. gentlemen say no—they ought to move for the publication of the report made by Mr. Langton, in answer to an Address of this House, of the income from, and the expenditure in, the several Provinces, for the first six years of Confederation. I think it will be seen from that report that a very considerable portion of the revenue and all the surplus came from Ontario. I am not blaming the other Provinces, nor do I regard it as a reason for changing our liberal policy towards them. The people of Ontario are more numerous, they occupy a richer soil and enjoy a finer climate, their productive energies are greater, and they can afford to pay more, but, when we are told that they cannot control or govern a certain portion of territory, because it is too distant, and would prove too burdensome, I think my hon. friend will have to find some better argument to justify the creation of a new Province in the North. Upon the whole case, it appears to me there is no occasion for dispute—no reason for exciting sectional feeling, in this matter. The people of Ontario will be satisfied with an adjudication which is legal and conclusive, and they will accept whatever territory is awarded to them by a properly constituted tribunal. I believe they will accept what the Arbitrators have given them if confirmed by this House. It is less than many of their public writers and advocates claim, but still, if this award is not confirmed by Parliament, the question must be determined by the highest judicial

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authority in the Empire. I hope, Sir, that, if a Committee be appointed, it will be composed of members from different Provinces, who will give their closest attention to the history, as well as the legal and constitutional aspects of the question. It will soon be discovered that it is not capable of mathematical or astronomical solution. It cannot be finally disposed of by any report or recommendation of a Select Committee. The Government will be responsible for the action of this House, and no Committee can relieve them of that responsibility. A Committee will be able to collect the material facts and the evidence bearing on the case. They will be able to report upon it more easily now than at any former time, and Parliament will, after such examination and report, be in a better position to determine either to confirm the award or remit the question to a legal tribunal.

MR. CASEY: I do not feel, Sir, that this motion can be allowed to pass without some protest from even the less prominent members from Ontario. I consider, Sir, that this is the most important question relating to Ontario that has come before this House since Confederation. The hon. member for Halton has ably observed that, dealing with a question involving so great an interest as the possession of 64,000,000 acres of land we should proceed with the utmost gravity, solemnity and deliberation. The hon. mover of this motion, the hon. the Minister of Justice and the leader of the Government, have asked us to practically settle this question now. They ask us to utterly disregard the award. I think I am borne out by the resolution, which shows no reference to the award at all. You would never know from the wording of it that there had been an award made. You would suppose that the question was still as open as it was during the period before the Arbitrators decided the question. Now, Sir, this is something the people of Ontario will not endure in silence. I doubt if even the Conservative members from Ontario in this House will tolerate it in silence, or even after the use of vigorous language. At any rate, they cannot vote for this resolution without destroying the title deeds of Ontario, to this enormous extent of territory. The people of Ontario would object to anything in

the slightest degree calculated to injure the authority of this award. They will object still more strongly to the ignoring of that award in a spirit which is eventually hostile to their Province. We have no difficulty in discovering from the speech of the right hon. gentleman opposite, and by his sneering remark that "Ontario would, perhaps, get as much as she expected by the award," his hostile feeling to the Province. Perhaps, sir, he is aware that, although he has a majority in this House from Ontario, he has not the people of that Province at his back, and is hostile to her because he knows her hostility to him. Perhaps the hon. gentleman is calculating on the profit he would make, in a political sense, by favouring the sister Province of Quebec, but I am quite sure, from what I know of the members of the French race who sit in this House, that they would not countenance the perpetration of an injustice upon, or a breach of faith with, the larger Province. The hon. gentleman may find himself amiss in the calculations he has made. What are the grounds on which the right hon. gentleman has attacked the award? Was it because of the *personnel* of the Board who made it? No. Because of a defective presentation of the case before them? No. Because of any suspicion of foul play by them? No. It was on the sole ground that the mode of appointing those Arbitrators was irregular—that they should not have been appointed by the Executives of the Dominion and the Province without the consent of Parliament. He says tragically: "Fancy an English Government appointing a Commission of that sort by an Order in Council without authority from Parliament." The hon. gentleman's memory must be very short if he forgets he himself was appointed by the English Government, without authority from Parliament, a member of the Joint High Commission that sat at Washington to conclude the Treaty which concerned the boundary line between the Dominion of Canada and the United States, along with other matters. It was this Commission, appointed without the assent of Parliament, that concluded the Treaty by which we lost the Island of San Juan on the Pacific coast. When the Emperor of Germany decided, under the Treaty made by my right hon. friend,

that that island did not belong to us, did we hear that decision questioned on the ground that the English Government should have asked the assent of Parliament before appointing the Commission? There was no such argument as that. When we were awarded five millions of dollars under the provisions of the same Treaty, did we hear the objection from the right hon. gentleman that the Joint High Commission was appointed without the consent of Parliament? Not at all. Why, when the American Government agreed to institute an enquiry, similar to the one now proposed, to make objections to the award of the Geneva Arbitrators, and when they raised objections on the same grounds urged by the mover of this Committee, or similar ones, did not Canada rise in indignation at the thought that they should seek to question a tribunal to which they had agreed to submit the case? The American Government confined themselves to making representations to that of England. When these were not entertained, without any further haggling, they honestly paid the money awarded by the Arbitrators. We have instances in England of important steps being taken without the express consent of Parliament. The noble lord at the head of the Government in England, to whom the head of our Government here is said to bear so strong a resemblance took over the island of Cyprus without asking Parliament; he assumed the protectorate of Asia Minor, and made wars without asking the assent of Parliament. Now, Sir, what is the decision come to by the right hon. gentleman as to the course to be pursued? He says the Arbitration was informally appointed, although I cannot see who could have the right to make a binding agreement in the matter, if the Executives of both the Dominion and Ontario could not do so. We are told that a Committee appointed by this House would be better able to consult the interests of Ontario and the Dominion than the Arbitrators to whom the question has been submitted. If Ontario were likely to gain a few thousand square miles by this step being taken, what would be thought of us if we advocated it? Why, the other parts of the Dominion would be entitled to reprobate us for such conduct. It is evident, however, that, if the hon. gentleman who makes the motion wishes the

award to be broken, it is in order to take from Ontario what she has got. It would be very difficult for Ontario to retain what belongs to her under the findings of that Committee; for only two of the gentlemen who are proposed to form that Committee are from Ontario—only two out of twelve composing the proposed Committee.

MR. DAWSON: There are three from Ontario, and the Committee is to consist of eleven, not twelve.

MR. CASEY: Oh, yes, I see, I was mistaken. But even that proportion must weigh unfavourably against the interest of Ontario: besides, the hon. mover of this motion is included in the three nominally from Ontario. He wishes to be the representative of a new Province, and could hardly be trusted to look after the interests of Ontario, since he is the very party seeking to abrogate the award. I wish to refer to some remarks of the hon. member for Halton (Mr. Macdougall). He said very properly that this was a matter of the gravest importance, and he gave figures to show its gravity and solemnity, one which a new Parliament should hesitate to deal with. Yet the appointment of this Committee which he favours will have the effect of breaking up the award and so virtually settle the matter offhand.

AN HON. MEMBER: The Committee, for anything we know, may confirm the award.

MR. CASEY: But, until the Committee does confirm it, the award is virtually done away with. They will have to go into the whole affair *de novo*. Their very appointment will break it up. They may make another award in the same terms or in different terms altogether. He says, further, that we should consider the award carefully before confirming it. Now, when an individual submits to an arbitration, all that he has to consider afterwards is whether the trial has been fairly conducted, and, if it has, he has nothing to do but to submit, unless there is a provision for obtaining a new trial elsewhere in a higher Court. The same rule applies to International arbitrations. If a party to an arbitration is to have the right of complaining against and breaking up an award, because that party does not like it, the possibility of arbitration between Provinces and between nations is gone forever. It has been said

this is a new House, and should not consider this matter hurriedly. Now, Sir, this House is in its second Session; the same parties as were here last year are here now. If notice had been given of intention to discuss the question, we would have been ready to pass upon it now, although, for my part, I hold that we should not pass upon the justice of the award at all. The hon. member for Halton (Mr. Macdougall) says that the people of Ontario will be satisfied with a legal and judicial decision. This they have had already, and the people of Ontario have shown their satisfaction with it. It would be a gross breach of faith to attempt to interfere with the award. The hon. gentleman says further that the award should be final and of the highest authority. I suppose there is a way of appealing to the Privy Council, if it is not final. I do not suppose that a Committee of eleven members of this House—of gentlemen who have not been noted for any legal or Constitutional acquaintance with the question of these boundaries—is a higher and final authority—or would give any more authoritative decision than that of the Arbitrators whose award is in question. The people of Ontario will look upon the appointment of this Committee, not as in furtherance of a desire to secure a higher decision, but as being done with a view to break up the award, and to substitute for that the decision of a partisan Committee. If the right hon. gentleman at the head of the Government thinks he could face the country after such a course, we on this side should have some reason to congratulate ourselves on the manner in which he would be received after such conduct by the people of Ontario.

MR. CAMERON (North Victoria) : As a Conservative member for Ontario, I desire to say a few words, in consequence of the tone and line of argument of the hon. gentleman who has just sat down. He has taken upon himself to threaten the Conservative majority of this House, and to dare them to go to the people of Ontario, after the course being now pursued in regard to this boundary question. This, however, is only a reiteration of what we read in the *Globe* of yesterday. We were warned by that mighty organ of the dire consequences, which would follow if we did not confirm this award, and give to Ontario the whole of this disputed

territory. The hon. gentleman, however, who has taken up the language of the *Globe* is too gentle, too amiable, and, may I add, too weak, to adopt the role of threatener and intimidator, and crack the whip over the heads even of such an insignificant body as the Conservatives of Ontario. When we read the article in the *Globe*, we knew a mighty power was talking to us; but, when we listen to the hon. member for West Elgin (Mr. Casey), we know he is too good-natured to mean what he says. But, to discuss the matter seriously, I think, Sir, if there ever was a motion which ought to be adopted, it is the one now before the House. We have before us a question of a most difficult and intricate character, and one which involves matters upon which the majority of the members of this House are entirely ignorant. We have a large tract of territory in dispute; we have an award that has been made on that question, the validity whereof is disputed; the jurisdiction of the Arbitrators who made that award is questioned; and the award itself is of such a peculiar character that it requires the assent of this House before it is binding. It is therefore very reasonable that we should have the matter referred to a Committee, as a more convenient body to consider and ascertain the true facts of the case than the whole House, and so that time could be allowed for members of this House to form an opinion with the report of the Committee before them. The House is adopting the most proper and convenient means of obtaining information to guide it in pronouncing an opinion upon the question. Speaking as a representative from Ontario, I can safely say that Ontario wants nothing but her true boundary. That is the real feeling of the Province of Ontario. Ontario is rich and large enough not to want to steal these few acres of land. If this territory belongs to Ontario, she wants it, but not by any snap judgment of an unauthorised tribunal. It wants a careful and full investigation; it does not want this disputed territory *per fas aut nefas*. The good feeling of our constituents the people of Ontario will prompt them to say: "Let us have it if it belongs to us, but not otherwise. Investigate the question in every way, and we will be content to abide by the result."

MR. HOLTON: I think, Sir, that we

had better postpone our decision. We have heard that this is a question of great importance, a question involving sovereignty over an Empire; and surely, therefore, it ought to receive the amplest consideration. I do not know what the intention of the parties may be as to a division; but I think that the discussion upon the merits of the award has come up very irregularly. I ventured to think, yesterday, that the introduction of such a motion was out of order, but I bowed to your decision then, and I do not intend to dispute it now. I have, however, no hesitation—whatever may be my views, which I do not intend now to explain, as to the merits of the award, on the policy of confirming or rejecting it—I can have no hesitation, I say, in voting against referring the subject to a Committee of the House, because I consider that it is a most objectionable proceeding. It is an abnegation of the duty of the Administration of the day to allow a private member to move for a Committee, to raise a question upon which it was their own duty to advise the House as to the proper course to be pursued. They have had ample time to do that since the award was given, they have had the whole Recess to gather information to guide them to a correct decision, and to enable them now to get the views of the House thereon. I shall vote without considering the merits; for the consideration of the merits will come up more legitimately on the Bill of my hon. friend from Bothwell (Mr. Mills). I shall vote against this motion: first, as being irregular, and, in the second place, as being improper to originate with a private member of the House, at all events, until the Government had submitted the question, which has been so properly described by the hon. member for West Durham (Mr. Blake) as being of the nature of an international question.

MR. ANGLIN: Coming from a Province which has no special or direct interest in the matter, I have listened to the debate so as to form an opinion as to how I should vote. But I am still somewhat at a loss. If I understood him correctly, the position taken by the leader of the Government was that this is a question which must be submitted to the Privy Council in England, for settlement. If this be so, I cannot see what can be

gained by the appointment of the Committee now proposed. Is it supposed that the Committee will gather information that it may be useful to submit to the Judicial Committee of the Privy Council? The hon. member who has just sat down contends that, in a matter on this importance, the Government should not allow any private member of this House to take control of the proceedings. The hon. member for Algoma (Mr. Dawson) is within his right in moving his resolution, but the leader of the Government would only be doing his duty to this House and the country in stating that he would not consent to a Committee of this kind being appointed, unless some good could be accomplished by it; and what good can be done by it I can hardly imagine. It would have to enter into abstruse questions about which there is so much difference of opinion between gentlemen who have studied the subject so thoroughly. The hon. member for Halton (Mr. Macdougall) informed us that it would be impossible for the Judicial Committee of the Privy Council to say positively what is the boundary line, as defined in any existing Act of Parliament, or other document of an authoritative character. He described the vast territory under dispute as equal to an area comprising many nations of Europe; but the hon. gentleman subsequently stated that the portion about the proprietorship of which there can be any reasonable doubt is within comparatively narrow boundaries, and is treeless, barren, and worthless, except for the minerals it may possibly contain. I think the question is one of so intricate a nature, Sir, that it cannot be considered thoroughly by a large Committee of this House, unless it sit from day to day, and devote its whole time to the subject. The hon. member for Algoma has stated that very important Acts of Parliament were never taken into consideration by the Commissioners. I regard that as a mere assertion on the part of the hon. gentleman. He believes that such was the case, no doubt; but there is nothing to show that the Arbitrators did not consult those documents.

MR. DAWSON: I said that they were not brought forward by the advocates who appeared before the Arbitrators; I did

not say they had not been considered by the Arbitrators.

MR. ANGLIN: I do not know whether those Acts of Parliament are of importance or not, but I do not see that a Committee of the House would be competent to decide this question, or that anything could be gained by appointing such a Committee. I have no interest in the matter, and only desire to do my duty as a member of this House; and, really, I do not yet feel competent to pronounce upon this question; I must, however, vote to the best of my knowledge, although that knowledge is certainly not such as to enable me to vote to my own entire satisfaction.

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

### After Recess.

MR. MACDONNELL (Inverness): I propose to ask the attention of the House to a few remarks on the subject before it. The hon. member for North Victoria (Mr. Cameron) stated what is very true, when he said that few members of this House understood this question thoroughly. For my own part, I scarcely knew that such a question was in existence, until the hon. member for Algoma (Mr. Dawson) moved his resolution. I have, however, paid the strictest attention to the remarks of the hon. gentleman, and to the arguments which have been adduced for and against his motion. In the course of the debate, I have learned that this question has been under consideration for many years past; I have learned that both the Government of the Dominion and the Legislature of Ontario appointed an Arbitration to consider and report upon this important question. The selection of the Arbitrators made by these two Governments has been accepted as unexceptionable. The three gentlemen chosen for the performance of the task entrusted to them were men of most eminent and distinguished character, that is to say, the late Chief Justice Harrison, Sir Francis Hincks, and Sir Edward Thornton. Against Sir Francis Hincks, I should think the hon. gentlemen opposite could raise no objection, since he was a colleague of the members of the present Government, when they were last previously in power. I have been given to understand that objection has been taken to the validity of this award, owing to

the fact that no legislation was had in this Parliament, authorising the Government to submit the question to arbitration; that such legislation was had in the Legislature of Ontario, and this is advanced as a ground for nullifying that award. Although there may be some validity in this objection—if the award made by these gentlemen is a proper one, if they gave the fullest and most careful consideration to the question, if learned counsel appeared on each side, if they had before them all the documents and the information necessary to enable them to arrive at a just decision in the premises—I think this House would be committing a great wrong to object to that award, on the ground of the simple technical objection advanced by the right hon. the leader of the Government. The award must be attacked on one of two grounds. If it is just and right in itself, it should not be attacked, and the time of this Legislature should not be taken up in promoting another enquiry, in having another tribunal constituted, to take into consideration the same question, and, for aught we know, to arrive at the same conclusion at which the Arbitrators arrived. This award has cost the country something already. I am told that a high fee was paid to each of these Arbitrators, that the eminent counsel who appeared on behalf of the Dominion were also paid high fees for their services. This award must be set aside, as I have said, on one of two grounds, either that there has been an irregularity—and that irregularity must be other than the one taken exception to, that there was no legislation on the part of this Dominion previous to entering into that arbitration—some irregularity in the making of it, or that the Arbitrators have been guilty of some misconduct whereby that award should not receive the sanction of this House. The hon. gentleman from North Victoria arose in his place, and attempted to administer, in the shape of sarcasm, a castigation to the hon. member for West Elgin (Mr. Casey). I am not aware that it lies in the mouth of that hon. gentleman to taunt my hon. friend from West Elgin with being a weak member of this honourable body; I am not aware that the hon. gentleman who thus attacked my hon. friend stands himself in a much more powerful, in a much higher, in a much more respected position, than does



my hon. friend from West Elgin. The hon. gentleman from North Victoria says it is all right to submit the award to a Committee to secure a report; he could not then have read the resolution of the hon. member for Algoma, in which no reference whatsoever is made to the award. That award is ignored, to use the language of the hon. member for West Elgin, and is treated contemptuously—not only the award, but the Arbitrators who made the award. The award is not referred to, even in the way of recital, in the motion before the House. The Order before the House is: “that a Select Committee be appointed, to enquire into and report to this House upon all matters connected with the boundaries between the Province of Ontario and the unorganised territories of the Dominion.” What can be the object, I would ask, of having this matter reconsidered? Does the Government, does the hon. gentleman who moved the resolution, pretend to say, that better Arbitrators can be chosen than the hon. gentlemen who have already acted as such? Does the hon. gentleman pretend to say that a better tribunal could be obtained, one better calculated to decide this question, than the one we have had? Can it be said that any Committee of this hon. House is so well calculated to consider and decide this question as the Commissioners who have done so? Those chosen by the Dominion and by Ontario, were disinterested and able men, and Sir Edward Thornton held the balance of justice evenly in his hands between them. The right hon. gentleman at the head of the Government, says there was but one lawyer upon that Commission. Why, if this House should decide against the award upon that ground, it will be the first time that I have known an assembly of this kind to pay such a tribute of respect to lawyers. If the resolution before the House asked us to set aside the award on some specified ground, I could understand it; but it seems to me that the award is impregnable, and its enemies have not attempted to attack it in any particular. Now, it has been said that we are endeavouring to take territory from the Province of Ontario. Sir, I can understand that, but the statement is not made that any undue territory has been given to Ontario by the Arbitrators. I believe the award is a just and correct one, and, if so, any tribunal capable of

discharging their duty, which may hereafter be appointed, must arrive at the same conclusion, and, therefore, no injustice can arise from sustaining it. This award has been arrived at after the most searching investigation and deliberation by competent men, and I feel it my duty until that award is impeached successfully to vote against the resolution before the House.

MR. McCARTHY: I do not desire to give a silent vote on this important question, representing, as I do, an Ontario constituency; and, while I think we must disregard in the consideration of this matter, the locality that we may happen to represent, yet, as representations have been made upon the floor of this House, as threats have been uttered as to what might be done to representatives of Ontario constituencies, if they did not support the award which has been made, it is well, I think, in our own interest, at all events, if not in the interest of the Dominion, that those who intend to support the resolution of my hon. friend from Algoma (Mr. Dawson) should give the grounds for the conclusion at which they have arrived. I agree that when the award has been made it ought to be adhered to by the parties who have agreed to the submission, and that strong grounds should be shown by either party who does not propose to submit to it. I have to say, however, that I do not understand, in the first place, that the reference of this matter to a Committee to make an enquiry and determine upon the various matters—which, to a great number, at all events, of the members of this House, will be very desirable information, before we express a decided opinion upon the validity of the award—I do not conceive, I say, that such a reference as that is at all improper. I admit, at the same time, that some ground ought to be shown, and for my part I have made up my mind that there is good ground why, before we adopt that award, we ought to have some more information on the subject than we possess at the present time. Let me recal to the attention of the House the position in which this case stands. By the British North America Act, the limits of the various Provinces were defined. So far as the Province of Ontario was concerned, they were to be those of the Province of Upper Canada before the Union of Canada in 1841.

That was not to be increased. No power was given either to this Parliament or to the Local Legislature to alter or change the limits of that boundary. There was a boundary line on the north-west as well as upon the north, although it may have been difficult, perhaps, to determine where that boundary line was. Still, that line had an existence, just to the same extent as the boundary line between two men's farms, although they may dispute as to its precise locality. Now, then, a dispute arose between the Province of Ontario and this Dominion, as to where that boundary line was. It was proposed in the first place, as I understand the papers, that the question as to where the boundary line was should be referred to the Judicial Committee of the Privy Council, the highest tribunal to which the people of this country can appeal. That proposition met with a counter proposition, and it was determined and agreed upon to constitute the tribunal who made the award. The hon. the leader of the Opposition concurs in my understanding of the purpose of the reference, and, as he has told us, it was finally arranged that, this tribunal thus constituted, one Arbitrator having been selected by the Dominion, another by Ontario, and a third having been appointed by the consent of all parties, this Court thus created should meet and do—What? Were they to settle a conventional line, or were they to ascertain where the true boundary line was? Now, it strikes me that this is the pivot of this discussion. I doubt much if many of us have been able from the perusal of the papers that have been brought down—and we have to go to the Ontario Legislature for an inspection of Sessional Papers—I doubt much if we are able to say now, except from the statements that have been made upon the floor of this House during the debate, what it was that was submitted to this tribunal. I understood the hon. member for Bothwell (Mr. Mills), who has been engaged in this matter for many years past, and who, perhaps, knows more about it than the great majority of the members of this House, to say, and he was corroborated by the hon. member for Lambton, (Mr. Mackenzie), that the question that was submitted to the Arbitrators was not the power to determine a conventional line, but to ascertain where the true line was,

and that only. Well, now, I have looked at the Act of Parliament passed by the Ontario Legislature, and I am surprised to find that a matter of this grave importance, affecting this Dominion, was not thought worthy of even a written document, as far as I can ascertain from any of the papers I have seen, empowering the Arbitrators to act. No Act of this Parliament is to be found on the Statute-book, by which it was so agreed to refer this question to arbitration. The Ontario Legislature acted in a widely different manner, in a much more careful manner, and one much more becoming the importance of the question. We find that in 1874 it passed an Act expressly empowering the Governor-General-in-Council to name an Arbitrator, or rather it named an Arbitrator, and empowered him to name a substitute. But when I look through the Statutes of the Dominion, although I find an Order in Council, passed in 1874, upon the recommendation of the leader of the Opposition, that legislation should be had, in order to give the Governor-General-in-Council power to appoint an Arbitrator, I look in vain for any Act of this Parliament, by which the Government was empowered to submit this question to Arbitration. I look in vain for any record of any kind, by which it may be seen what was the question submitted, and we are unable to find from the proceedings of Parliament what it was that the Governor-General of this Dominion, acting under the advice of the hon. gentlemen opposite, thought proper to submit. These are certainly circumstances which, one would say, render it more than usually necessary that the proceedings of this Arbitration should be investigated by this Committee. We do, however, find that, whatever that Arbitration decided upon was to be subjected to the approval of this House, as well as subject to the approval of the Local Legislature. Before that award obtains any validity, before that award is of the slightest value, it is to receive the sanction of the Parliament of Canada. Well, are we to be told that in the absence of all information in our own Sessional Papers, knowing that this matter was treated so carelessly by the hon. gentlemen who had charge of it that they did not think proper to submit a Bill to Parliament, seeing that they never even

thought proper to have a form of deed, or document, or reference, are we to be told that it is improper, in the absence of information on this subject, that the question should be referred to a Committee to take evidence and inform the conscience of this House, as to what we should do and how we should discharge our duty. I understood from the hon. gentleman who conducted the matter, the hon. gentleman from Bothwell (Mr. Mills), that the question which was submitted was as to the true boundary line between the Province of Ontario and the Dominion Territories, and yet, looking at this Act of 1874 passed by the Local Legislature, I think most lawyers would come to an opposite conclusion. In this Act of 1874, it is recited that in 1871 an Imperial Statute authorised the Parliament of Canada to increase, diminish or otherwise alter the boundaries of any Province. It is further recited that, subject to the approval of the Parliament of Canada, and the Legislature of Ontario, it has been agreed by the Governments of the Dominion of Canada and the Province of Ontario, that the questions which have arisen concerning such boundaries, should be determined by reference to Arbitration, and further that certain gentlemen were named as Arbitrators, and that the determination of a majority of the said Arbitrators should be final and conclusive, as to the limits to be taken as and for such boundaries. It goes on to enact that the Province of Ontario consents that this Parliament may declare that the boundaries the Arbitrators may decide on shall be the boundaries. And that this Parliament "may thereby increase, diminish or otherwise alter the northerly and westerly limits of the Province of Ontario."

MR. MILLS: Hear, hear.

MR. McCARTHY: The hon. gentleman from Bothwell says "Hear, hear." By that cheer, if I may so call it, he condemns his own case, because he stated to the House yesterday that the reference made by the Dominion was to ascertain the true line, wherever it was. We find, on the contrary, that the Ontario Legislature was acting on a different principle, and they were going in for a conventional line; so that the matter has been treated in one way by one party, and in another way by the other party, and that, while the Ontario Legislature thought they

were referring to one subject, the late Government thought they were submitting another matter to the Arbitrators, and no wonder that, under such circumstances, the award was as we find it to be.

MR. MILLS: Not at all.

MR. McCARTHY: "Not at all," says the hon. gentleman. He must remember that he is much biased in this matter. It is an unfortunate circumstance for the Dominion that the hon. gentleman happened to be the paid agent of the Ontario Government, when he received his first impressions on this subject. That was quite proper; I make no objection to it. It was quite proper that the hon. gentleman should be engaged, he is skilled in this matter, and his knowledge as a public man pointed him out as a fit person to assume that charge, but it was unfortunate that, when he became a member of the Government of this Dominion, and took charge of his Department, he had also to present the other side of the case. I say that, under these circumstances, this is another ground why, perhaps, we should scrutinise with care the result of this reference.

MR. MILLS: After I became a member of the Government, I took no part in the discussion of this question. The matter was dealt with entirely by the First Minister and by the Minister of Justice.

MR. McCARTHY: I supposed the Government was a unit; we have been told about the continuity of the Government, and now the hon. gentleman tells us that he took no part in the discussion of this question. I suppose, then, he takes no part in it now, and takes no interest in the case because, if he was incompetent to do it as the Minister of the Interior, he must be equally incompetent, as a member of this House, to take any part in the discussion. However, this is a reason, in my judgment, that we should scrutinise with considerable care, the result of this reference, and, when we are told by the hon. member for Algoma, who has taken a great interest, as it was natural he should take, this being his constituency and containing the principal portion, if not all, the territory in question, that the case was inadequately presented before the Arbitrators, there is still further ground for enquiry, still further reason why we should

MR. McCARTHY.

not "go it blind," to use, perhaps, a vulgar but an expressive term—I say that we must go to the foundation of this whole question. If we determine that our Arbitrators were authorised simply and solely to ascertain the true boundary line, and that they ought to have determined the true boundary line, there would be very strong reason, indeed, for our submitting to their award, even though we did not think it to be proper or right. But if it turns out that we really did not know what we had agreed to submit to our Arbitrators, then I say, it is manifest that the award cannot stand; it is manifest under these circumstances, that the whole matter is open to review, and must be reviewed by some other tribunal. But here is another view to be taken of this question. It appears to me that, rightly or wrongly, the Arbitrators did establish a conventional line. Every gentleman who has spoken on this subject, and who has any knowledge of it, including even the hon. member for Bothwell—if not, I am open for correction—all agreed that no person pretended, prior to the pronouncing of this award, that the line which the Arbitrators established, was the line which any person ever contended or believe to be the true line. I have failed to find any evidence, even to show that the line established by the Arbitrators, was contended for by any politician or public man prior to the pronouncing of this award. It is contended on the one side, that the true boundary is a line, north, from the junction of the Ohio with the Mississippi—in behalf of the Dominion. On the part of Ontario, it was contended that the true boundary line was on the east bank of the Mississippi. If you look at the Act of 1774, there is no difficulty in tracing the boundary down to the confluence of the Forks of the Ohio; but when you reach that point the dispute commences. One party says "northward" means—and I must say there is great force in that contention—the most direct line north, to the Hudson's Bay Territory. Another side contends that that is not the meaning, among them being the hon. member for Halton (Mr. Macdougall). He thinks the proper meaning of the Act, read by the light cast by the debate, and by contemporaneous documents, is, that the boundary should be by the Mississippi River. But, whether his

view be correct or not, the Arbitrators have adopted another, which is not either of the lines as contended for under the Act of 1774, if it be admitted to be, as I believe it is, the foundation of the whole controversy in this matter. Again, what warrant is there for the eastern boundary established by the Arbitrators? They have chosen to project an eastern boundary—

MR. MACKENZIE: An eastern boundary?

MR. MCCARTHY: An eastern boundary in effect it is—the line north of Lake Temiscamingue.

MR. MACKENZIE: They had nothing to do with it.

MR. MCCARTHY: Who had nothing to do with it?

MR. MACKENZIE: The Arbitrators.

MR. MCCARTHY: The award distinctly says, north of the Hudson's Bay.

MR. MACKENZIE: That line was settled by Quebec and Ontario before.

MR. MCCARTHY: If that be so, I have misread the Act. On looking at its language again, I find the hon. gentleman is right. I took that to be the line, which is only a point from which it starts. The main point, however, is still this: they have established, as a part of the Territory of Ontario, this line running to Hudson's Bay. No person ever contended for that view prior to this award. From the document itself there is plain evidence that this is a conventional line, and is only to be upheld, if upheld at all, under the Act of 1871, which gives power to Parliament, with the consent of the Legislature, to alter the boundaries of any Province. If this is a true conclusion, then every hon. member of this House, who was a member of the last Parliament, knows that it never was in the contemplation of that House to delegate to these Arbitrators our powers of legislation with a view to altering the boundaries of Ontario. That all we supposed was being done, was the establishment of the means of ascertaining the true boundary line; but none of us ever dreamt that an attempt was being made to give Ontario more territory or take any from her. If that has to be done, we have got to know what we are doing, and to proceed with more caution and deliberation, and with

different facts from those brought before the Arbitrators. So that it is proper that this matter should be referred to a Committee, upon the report of which only could the House properly and fairly discharge its duty, in this important matter, both to Ontario and the Dominion. My hon. friend from West Durham took high ground on this subject. He argued, I think, that it was immoral for us now to attempt in any way to repudiate this award, the result of this Inter-provincial Treaty. Why, we have our duties here to discharge to the Dominion; and it cannot be called immoral, if we discharge them fairly and honestly. We do not come here as representatives of Ontario as distinguished from the representatives of Quebec, or representatives of New Brunswick as distinguished from the members for Nova Scotia, but as representatives of the Dominion, to which belongs our first duty. We are bound to see that its rights are properly protected; and I must say, that the whole dealing of hon. gentlemen opposite with this matter, and of the late Administration, has shown, to say the least, very great carelessness. I say advisedly that, when we find here that, although my hon. friend the member for Lambton (Mr. Mackenzie) suggested the propriety of legislating on this subject, they never submitted a Bill—that there is no Act on the Statute-book authorising this reference—that the hon. gentleman (Mr. Mackenzie) is hardly yet able to say what the arrangement agreed upon was. I say that when the matter was conducted with such carelessness, it behoves us now to take the matter into our own hands, and deal with it broadly, fairly and honestly, both as regards Ontario and the Dominion. Comparison has been made of the Geneva and Fishery Awards. I do not think that our American friends would have hesitated to reject the Fisheries Award if they had had any loop-hole; but as the reference was simply to ascertain the value of the fisheries to the Americans, it was simply a matter of dollars and cents. We know quite well that everything in the Treaty that affected us had to be ratified by this Parliament. I do not, for a moment, pretend to express any positive opinion about this award—to say that it is not a fair and just disposition of the controversy between Ontario and the Dominion; but I do say it is a

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case for an enquiry, and before we vote to sustain the award we ought to know on what ground it is based, what was referred to the Arbitrators, and whether they acted within the scope of their authority. I do not pretend to say that they were actuated by any improper motives. No hon. member has ventured to assail their conduct; but although they may have been perfectly honest, and may have acted honourably, as I have no doubt of it, they may have misunderstood the powers delegated to them by the Governor in Council and by the Lieutenant-Governor of Ontario; and, if that be so, the award must necessarily be set aside, leaving matters as before. I do not think that this House would delegate to arbitrators, knowingly, the power of determining boundaries in a conventional manner like the present. I do not think that it was ever intended when the Imperial Parliament, by the Act of 1871, gave this House the power to alter the boundaries of Provinces, that we were to delegate that power to arbitrators. That is a matter of legislation and not of administration. Parliament has not the power to delegate its authority to arbitrators, no matter how high their authority. On that ground also this award must be treated as void. On the merits of the question itself, it does appear there is a good deal to be said from the view of the Minister of Justice. I cannot accept the construction which the member for Halton (Mr. Macdougall) places upon the Statute. He reads the contemporaneous documents and discussions when the Bill was introduced, and from them assumes that it does not express what was intended; but there is no principle of the construction of Acts better established than this—that within the four corners of an Act of Parliament must be found the meaning of the Act; and that we are not at liberty to depart from that meaning for the purpose of showing that language, perfectly plain, was intended to mean something different. An amusing illustration of this principle occurred in the Supreme Court herelately. The Attorney-General of Ontario was arguing a question of insurance legislation, which had given rise to a controversy. He stated that the Bill was introduced into the Local Legislature by the Government, with the intention that it should affirm the principle he was con-

tending for, when the counsel on the other side, also a member of the Legislature at the time, declared he had voted for that Bill understanding it in quite a different sense, and that, had he thought it meant what the Attorney-General asserted, he never would have voted for it. It is better to confine ourselves to the language of the Act, and disregard the expressions used in the debate, in order to arrive at the true meaning of the law.

MR. MACKENZIE: And not trust much to the lawyers.

MR. McCARTHY: Not much to the lawyers, nor to laymen, if we take the conduct of the hon. member for Lambton, in dealing with the matter, as an example. It appears to me, from what we have heard to-day, that the members of this House, or the late Government, meant one thing, and the Ontario Legislature another. It is quite clear those two contracting parties, Ontario and the Dominion, never had a common understanding on this subject—the consensus necessary to the formation of a contract; they were driving at different points. The Dominion Government were endeavouring to appoint an arbitration to fix and determine the true boundary of Ontario, while its Legislature was driving at something else. Under these circumstances this award cannot stand. If, on the other hand, it was intended to delegate to arbitrators the powers of this House, it would not be legal. On this ground also, the award should not be allowed to stand. Let me refer to the words of the Act of 1871. After giving the authority already referred to, to increase, diminish, or otherwise alter the limits of a Province, the clause reads: "Upon such terms and conditions as may be agreed to by the said Legislature, etc". Evidently it was contemplated that, if the limits of the Province were altered, a bargain should be made, just to all parties. The hon. member for Lambton, I am quite sure, never intended to make any such new agreement, or conventional line; but the Arbitrators appear to have thought there was such an intention, and dealt with the subject on that understanding. On these grounds, I think, the matter ought to go to a Committee; and that we should have the fullest information on the whole subject, before being called on to swallow this award and assume its correct-

ness, when all the circumstances point in an opposite direction.

Motion made and question proposed:

"That a Select Committee be appointed, to enquire into, and report to this House upon, all matters connected with the boundaries between the Province of Ontario and the unorganised territories of the Dominion, with power to send for persons and papers; said Committee to be composed of Messrs. Dawson, Robinson, Geoffrion, DeCosmos, Brecken, Royal, Trow, Mousseau, Caron, McDonald (Cape Breton), and Weldon, of whom five to form a quorum."

The House divided:—Yeas, 123; nays, 52.

YEAS:  
Messieurs

Abbott	Langevin
Allison	Lantier
Arkell	Little
Baby	Longley
Barnard	Macdonald (Kings, PE1)
Beauchesne	Macdonald (Victoria BC)
Benoit	McDonald (Cape Breton)
Bergeron	McDonald (Pictou)
Bergin	Macmillan
Bill	McCarthy
Bolduc	McCuaig
Boulton	McDougall
Bourbeau	McInnes
Bowell	McKay
Brecken	McLennan
Brooks	McLeod
Bunster	McQuade
Burnham	McRory
Cameron (N. Victoria, O)	Masson
Caron	Massue
Cimon	Merner
Colby	Méthot
CConnell	Montplaisir
Costigan	Mousseau
Coughlin	Muttart
Coupal	Ogden
Currier	Quimet
Cuthbert	Perrault
Daly	Pinsonneault
Daoust	Plumb
Dawson	Platt
DeCosmos	Pope (Compton)
Desaulniers	Pope (Queens, P. E. I.)
Desjardins	Poupore
Domville	Richey
Drew	Robertson (Hamilton)
Dugas	Robinson
Farrow	Rochester
Ferguson	Ross (Dundas)
Fitzsimmons	Rouleau
Fortin	Routhier
Fulton	Ryan (Marquette)
Gigault	Rykert
Girouard (Jacques Cart.)	Schultz
Girouard (Kent, N. B.)	Shaw
Grandbois	Spronle
Hackett	Stephenson
Haggart	Tassé
Hay	Tellier
Hesson	Thompson (Cariboo)

Hilliard	Tilley
Hooper	Tupper
Houde	Vallée
Hurteau	Vanasse
Ives	Wade
Jackson	Wallace(South Norfolk)
Kaulbach	White (Cardwell)
Keller	White (East Hastings)
Kilvert	White (North Renfrew)
Kirkpatrick	Williams
Kranz	Wright.—123
Landry	

## NAYS :

## Messieurs

Anglin	Holton
Bain	Huntington
Bannerman	King
Béchar	LaRue
Blake	Laurier
Borden	Macdonell (N. Lanark)
Bourassa	MacDonnell (Inverness)
Brown	Mackenzie
Burpee (St. John)	McIsaac
Burpee (Sunbury)	Mills
Cameron (South Huron)	Oliver
Cartwright	Olivier
Casey	Paterson (South Brant)
Casgrain	Pickard
Chandler	Rinfret
Chariton	Rogers
Cockburn (Muskoka)	Ross (West Middlesex)
Dumont	Rymal
Fiset	Scriver
Fleming	Skinner
Flynn	Smith (Westmoreland)
Gillies	Snowball
Gillmor	Thompson (Haldimand)
Gunn	Trow
Guthrie	Weldon
Haddow	Wiser.—52

MR. CASEY : I desire to call attention to the rule that members named on a Committee of this kind, who vote against such a motion, cannot serve on that Committee. I ask, Mr. Speaker, for your ruling on that point.

MR. SPEAKER : Of course a member opposed to a question cannot serve on a Committee appointed to consider that question.

SIR JOHN A. MACDONALD : The objection ought to have been taken before the vote was recorded.

MR. CASEY : But these gentlemen had not declared themselves in any way before they voted. I think Mr. Speaker will have to give directions to strike them off according to his ruling.

MR. SPEAKER : What I meant by the ruling I gave was this : That any member speaking against the question to be investigated by a committee, cannot serve upon that committee. I had, however, declared the motion carried, and it

was too late for my hon. friend to call my attention to the subject. The hon. member for Chateauguay, while he stated the committee was inopportune, did not declare himself against the question to be considered.

INSOLVENCY ACTS REPEAL BILL.—  
[BILL 2.]

(Mr. Colby.)

## SECOND READING.

Order for second reading read.

MR. COLBY : It is not my intention to detain the House but a moment by any remarks which I shall make on the second reading of this Bill. The subject of the Insolvency laws is one which has been so often and so thoroughly and so exhaustively discussed in Parliament, in the press and on the hustings, that nothing remains to be said. I am sure that no words of mine would influence the vote or opinions of any member of this House. Whatever may have been the necessity for this law when it was passed, I think that now it is unquestionably a fact that it has outlived its usefulness and that public opinion is definitely settled and has declared itself in a way that is unmistakeable, in favour of an immediate and summary repeal of the Act. Now, Sir, I am not nor have I ever been one of those who believe that a Bill for the relief of honest and unfortunate debtors was under all circumstances an unmitigated evil. On the contrary, I can quite understand that after periods of great commercial disaster, at periods when men through no fault of their own—through no dishonesty, extravagance or inattention to business, but solely through the fault of others—have been overwhelmed in the common ruin, a temporary law which shall give relief to that unfortunate class, may be a public advantage, as it is certainly humane in its spirit. That by the continuance of that law, when it came to be understood that it was a permanent law on the Statute-book, it became rather a means of escape for the dishonest and designing debtor than a mere means of relief for the honest and unfortunate debtor. Another feature of the law, which has always commended itself to the favourable consideration of the creditor class, has been the principle, which is certainly most excellent in theory, of placing the administration

MR. CASEY.

of insolvent estates in the hands of the creditors, to be administered by agents of their own selection. It would seem, theoretically, that nothing would more tend to secure the proper and economical administration and distribution, of an insolvent estate, than that system. But, Sir, experience has also shown in this country, and in other countries I believe, that the rapacity of assignees, the dishonesty of debtors, the greed of some creditors, the inattention of others, have thwarted the beneficent intentions of the law; and instead of there being an economical and honest administration of assets, the practical operation of the law has been characterised by a wasteful extravagance, and too often by a dishonest administration. I think it is unmistakably the case in this country, where the law has been a long time on the Statute-book, that it has tended to the demoralisation of trade, and to lower the standard of commercial morality. It has tended to recklessness in trading, and in living to extravagance. It has tempted many persons, wholly unsuited for business, to risk their fortune in business enterprises that were little understood by them. The whole effect of the law in recent years has been unfortunate and disastrous. I think, Sir, that it is the sentiment of the people of this country, generally, that it has tended, in some considerable degree, if not to create, at all events to aggravate, the commercial distress which has unhappily prevailed in this country. But there have always been objections to the total repeal of this law. There is no doubt, however, that when it is repealed, there will be inconvenience; but I am happy to believe that that inconvenience is likely to be lessened by the action which I understand is to be taken by the Government of Ontario in the introduction of a Bill, which I have not seen, but which I believe is to be brought down and passed this Session, introducing a law similar in principle to that prevailing in the Province of Quebec, for the just and equitable distribution of estates. Should that be done in Ontario I have no doubt the example will be followed by the other Provinces of the Dominion; and if we do not have a law in all respects uniform in procedure, we will have laws uniform in principle, so that creditors in every Province can understand the principle upon which the assets

are to be distributed in the other Provinces. If there is to be an abrogation of this law I think, perhaps, the present is more timely for action than any former occasion upon which the proposal has been made before this House. It is an undeniable fact that many, anticipating action during this Session of Parliament, have prepared themselves for it, and the great rush during the past year into the Insolvency Court is clearly an evidence of this. The effect of a repeal at the present time on the debtor class will not be as embarrassing as if it had been enacted with less notice. Again, Sir, I think that we are all agreed that the country is exhibiting a degree of commercial and industrial prosperity which unhappily has not existed for many years past, whatever may be the occasion of it. We will not discuss that point now. I think there is a unanimous feeling of renewed confidence, that we are on the eve of a greater degree of business prosperity than we have enjoyed for many years past. I think, under these circumstances, if the law is ever to be abrogated the present is a timely opportunity for enacting its repeal. With regard to the details of the Bill which I have the honour of submitting to the House, I would invite the attention of the legal members of the House, and particularly the Minister of Justice, to any necessary suggestions or modifications which may be properly considered when the House is in Committee on the Bill. No reference has been made in the Bill to Banks or incorporated Companies, and I would suggest to the legal gentlemen of this House, that they would consider what would be proper to enact in this regard. With these, I hope not too lengthy remarks, I have the honour to move that the Bill be now read a second time.

MR. GIROUARD (Jacques Cartier): I do not desire, Sir, to repeat the remarks I made last year in reference to the Insolvency law. I only desire to say one or two words, giving my reasons for seconding the Bill of the hon. member for Stanstead. It will be recollected that last year, several insolvent Bills were referred to a Special Committee. One of the first proceedings of that Committee, was to consider whether the Insolvency Laws should be repealed purely and simply, or whether a new Act should be framed. I



voted on that occasion for a repeal, pure and simple. The motion for a repeal was lost, and a sub-Committee was struck and instructed to prepare a Bill for the approbation of the House. I was on that Committee, and a Bill was reported. This Bill was proposed by the hon. member for Stanstead and seconded by myself. We all know the result of that Bill. The House voted a repeal, pure and simple, by a majority of 24. I was in favour of the Bill of the Committee, because great concessions had been made in favour of non-traders generally, and more particularly in favour of farmers. It was further represented at that time, that the country was not prepared for a repeal, pure and simple. But I desire to submit to the will of the people. I believe the people of this country are tired of the Insolvent Law and the *regime* of Official Assignees, under which they have suffered for some years past. I now second the motion for the second reading of the Bill, to repeal the Insolvency Laws, pure and simple. If the second reading of the Bill is carried, and I have no doubt it will be, I intend when the Bill is in Committee to propose an amendment to the following effect:—

“All insolvents under the provisions of the Insolvent Acts of 1864, 1869 or 1875, or Acts amending the same, who have not yet obtained a discharge under the said Acts, and who have delivered up the whole of their estate, and have not been guilty of any fraud within the meaning of any of the said Acts, shall henceforth and forever be discharged from their liabilities to the extent provided by the said Acts. But all remedies now existing may be enforced by any creditor who shall prove any such fraud or want of delivery of the estate of his debtor.

“2. This Act shall not apply to any case where a discharge has been refused by the court or judge for fraud or want of delivery of any portion of the assets of the insolvent.”

It is well known, Sir, that, under the Act of 1876, a debtor was not entitled to his discharge unless his estate realised 33c. on the dollar; a discretion being left with the Judge to grant the discharge or not. By a subsequent Act this discretion was removed, and the amount increased from 33c. to 50c. We know that there are unfortunate insolvents who have acted honestly, but who have not been able to get a discharge. It seems to me that we should start with a clean sheet; and therefore I propose that a jubilee should be extended to unfortunate traders and merchants who have

given up everything and have been guilty of no fraud.

MR. WHITE (North Renfrew): In the discussions upon this question upon former occasions, I have expressed an opinion that the Insolvent Laws ought not to be repealed pure and simple. I do not now propose to advance any arguments in support of that view, because I believe that the House is prepared to vote, by a large majority, for the repeal of the Insolvent Laws, as they stand on the Statute-book at present. Nothing I can say will alter the determination which I am convinced the House has come to in this matter. One of the principal objections to the repeal of the Bill, is that in many Provinces no law exists for the distribution of the assets of insolvent debtors. It is said, and I believe truly said, that the Ontario Legislature are likely to pass a law which will have the effect of allowing the creditors of an insolvent debtor to participate in the assets of his estate. But I would like to draw the attention of legal members of the House to one phase of the question, which I think has not presented itself very forcibly to most of the hon. members of this House. If I understand the case aright, there is no provision in the Province of Ontario by which execution debtors may be punished for the concealment of any portion of their assets. I think, in repealing this law, some provision ought to be made by which the penalties imposed by the Insolvent Laws on insolvent debtors for the concealment of their assets, should be imposed on the person whose assets may be seized under a writ of execution. That is all I propose to suggest to the House in reference to this matter.

MR. BECHARD: I do not rise with the intention of discussing the question of insolvency at large, it has been a subject that has been exhausted in the discussion which took place last year, as was said by my hon. friend from Stanstead; but, Sir, allow me to congratulate my hon. friends from Stanstead and Jacques Cartier for the attitude which they have taken this year respecting this question of insolvency. I am sure, Sir, that the course followed by my hon. friends this year will meet with a better reward than that which they at first adopted last year with respect to the same question. When my hon.

friend from Stanstead introduced his Bill, I feared it might possibly be the same voluminous Bankruptcy Bill which he, seconded by the hon. member for Jacques Cartier, moved last year, with a view to have it substituted for the existing law, and which was defeated upon my motion in amendment for unconditional repeal. But, Sir, upon examination of that proposed measure, it was gratifying to me to find that it was exactly the same Repeal Bill which I had the honour of introducing last year, and which was carried in this House. It will be remembered by everyone that this Bill, after it had been carried in this House by a majority of 57, was rejected in the Senate by a slight majority of only four votes, after an active canvass of that honourable body. Notwithstanding that check, the friends of repeal were not discouraged; they felt that defeat was temporary, and that my Repeal Bill was a knife sunk deeply in the throat of the Insolvency Law, which was bound to expire this session. I repeat, it is gratifying to see my hon. friends from Stanstead and Jacques Cartier, who last Session endeavored to impart new life and vigour to the moribund Bill, hastening to-day, in order to be on time, to receive its last breath and piously close its eyes. That Repeal Bill of last year, although rejected by the Senate, I venture to say, was so welcomed by public opinion, so well received by the people, that it was thought of since in high quarters, and became a general conclusion, amongst politicians, that nothing less could satisfy the people but the absolute repeal of the Insolvency Law. I consider it to be a foregone conclusion, that this Bill will be successfully passed through Parliament this Session. I am sure it will receive new supporters in this House; and from what I learned about the dispositions of some of those hon. Senators who opposed it last year, I am certain that it will also be carried there. Therefore, Sir, the Insolvency Law will be repealed. We will get rid of it, and the people will receive full and entire satisfaction upon that question. The will of the people is, I think, manifest. They abhor a law, which, in the course of its existence, has given rise to so many abuses, and which they consider as contributing, in a high degree, to delay the restoration of that confidence amongst business men, which

is so essential to the commercial prosperity of any nation. It is true, Sir, that we hear in some quarters some voices clamoring in favour of an Insolvency Law, or of amendments to the existing law; but I believe they constitute but a small portion of our people. Their number is confined to some wholesale merchants, who would like to have, very likely, an Insolvency Law framed, as that which was introduced last Session by my hon. friend from Stanstead—a law altogether in favour of creditors and which placed debtors at their feet. But the large majority of the people do not want any Insolvency Law; and I venture to say that no public man to-day would assume the responsibility of moving any such law. Sir, I need hardly say that I will vote for this Bill; it is my Bill; it is precisely, word for word, the Bill which I introduced last year, and which I introduced again this Session. I was the father of the Bill last year; and when I look at the Bill to-day it is impossible for me to disown the child. But it appears that that little individual has attractive powers; for it was taken from me, and is now appearing before you under the care and patronage of an adoptive father. The measure, or a similar one, was originated in Parliament by Mr. Barthe, formerly member for the county of Richelieu. It was introduced twice, and every time I voted for it. But last year—Mr. Barthe being no longer a member of Parliament, and my hon. friend from Stanstead, who, in former years was the champion of repeal, having abandoned that course, and adopted, last Session, a course antagonistic to repeal—I took that cause in hand and introduced this Bill. By acting in that way, I am sure I was not trespassing on those rules of courtesy which good education impels me to observe towards every one of my colleagues in Parliament.

MR. MACKENZIE: I think, before discussing the present measure further, that it would be desirable to know when the Government propose to introduce the measure respecting insolvency, referred to in the Speech from the Throne.

AN HON. MEMBER: That will depend upon the result of this Bill.

MR. McDONALD (Pictou): In answer to the hon. the leader of the Opposition,

I may say that the subject is under the consideration of the Government.

MR. MACKENZIE: I think that is not a satisfactory answer to the question. A measure relating to insolvency was promised in the Speech from the Throne, and I think we have a right to ask the Government when that measure is likely to be introduced, because it might materially change the views of the House. Last year the Government had not the courage either to promise or propose a measure; and the hon. the Minister of Justice became a champion in opposition to the Bill brought in to repeal the Insolvent Laws. Now, when we have a distinct measure promised in the Speech from the Throne, it is strange that there is not a gentleman prepared, on behalf of the Government, to answer my question. I see that the hon. gentleman at the head of the Government is now coming into the House. I would suggest that whenever he leaves the House he should leave some one in authority. He keeps his family under too great subjection. I may now tell the hon. leader of the Government, that I wish to ask when they intend to introduce the measure, relating to insolvency, promised by the Speech from the Throne.

SIR JOHN A. MACDONALD: This is a most laudable curiosity on the part of the hon. member for Lambton (Mr. Mackenzie). He says, I keep my family in too great subjection. Well, Sir, we are a unit perhaps. The hon. gentleman who leads the Opposition has not been so successful as myself, in that respect. He says we have promised a Bill on the subject of insolvency. If, however, the hon. gentleman will examine the wording of the Speech from the Throne, he will find that what is there said is, that the subject of Insolvency will "engage the attention" of the House. Now, Sir, I think that subject is engaging the attention of the House now. When we ventured to prophecy this we were so certain of the truth of the premises that we placed the language in the mouth of His Excellency the Governor-General. It has engaged the attention of the House—on both sides—at the invitation of the Crown, at the very beginning of the Session. But, seriously, Mr. Speaker, the Government of the day have a duty to perform. As leaders of the House they have to submit such measures as they think

proper and expedient for the good of the country. This subject was announced as one of importance, by the Speech from the Throne, and it really makes no difference whether the measure is in the hands of one member or another, or whether it is in the hands of a member of the Government or in the hands of a member who is not a member of the Government of the day. If the hon. gentleman who has the Bill in charge had not brought it forward, the Government would certainly have introduced a measure. Had he failed to do so, or had hon. members opposite failed to do so, the Government would have felt it their duty to introduce a measure for the repeal of the Insolvent Laws. The measure, however, is before the House, and will receive due consideration.

MR. MACKENZIE: That means that the Government have no measure, but pick up one wherever they can find it.

MR. CASEY: It is gratifying to hear the hon. the leader of the Government state that it makes no difference who brings in a measure. He says that the Government simply prophesied that such a measure would be brought forward. I was not aware that we had such a rival of Vennor. I suppose we may hope to see it in the almanac for next year that on such a day in February you may expect a Bill to repeal the Insolvent Act.

SIR JOHN A. MACDONALD: There is one thing we will not find in the almanac; we shall not find it recorded that we were favoured with an eloquent speech from the hon. member for West Elgin (Mr. Casey).

MR. SPROULE: It must be a matter of satisfaction to those gentlemen who took part, a year ago, in the arguments urging the repeal of the Insolvent Laws, to know that they have, at last, succeeded in convincing gentlemen who took so strong a stand against the measure. At the same time it seems almost incredible that it should have taken such a length of time, and such an amount of argument, to satisfy intelligent men of the uselessness of the Insolvent Laws, all their amendments made from year to year are only, to-day, standing monuments of folly and unstatesmanship. If this Insolvent Law had been repealed a year ago, there would not now have been those arguments hon. gentlemen

opposite have been pleased to use so strongly against the National Policy. I mean the large number of insolvencies they cite as having occurred since last year. But if hon. gentlemen opposite had been honest, they would have attributed them to their natural cause, namely, the anticipation of the repeal of the Act, and not to the depression brought about by the introduction of the National Policy. But public opinion has been too strong against the continuance of these laws, which apply to one class of the community only, to prevent their continuance upon the Statutes of our country. They have only held out inducements for parties so disposed, to shape their affairs in such a way, even to change from one line to another, so as to enable them to take advantage of the Act, and pay their debts with twenty, thirty or forty cents on the dollar. I believe it is generally recognised that there is not more than one honest trader out of every three or four who have taken the benefit of that Act since it was placed upon the Statute-book. It seems strange that, if the law was so beneficial, it should have been made applicable only to commercial people; and that all professional men, labourers and mechanics, and all the agricultural classes of the community should be entirely left out from the benefits supposed to accrue from that law. It seems strange to me also, in view of these facts, that the law should continue so long, and that we find those who ought to be the leaders of public opinion, and who took such strong grounds a year ago in favour of the continuance of that law, whose judgment and experience should have enabled them to understand the feeling of the country, are to-day retreating from their position of last year. It must be humiliating to these men to-day, to sit in their seats and not have one word to say in favour of the continuance of that law.

Mr. CAMERON (North Victoria): While I am prepared to admit that a majority of the people, certainly of Ontario, are opposed to the existing Insolvency Law, and while I know that a majority of the members of this House are in favour of its total repeal, I am not prepared to assent to the large terms of the proposition of the hon. member for Stanstead (Mr. Colby) who stated that there was an almost universal consensus of public opinion in favour of the total re-

peal of the law. For my part, I have always felt that a well considered and well administered Insolvency Law, was necessary for the proper carrying on of the affairs of an extensive commercial community. That opinion I still retain. I also am of opinion that the evils of our existing law are evils of administration, and not evils inherent in the principle on which the law is based; and those faults arise almost entirely from the mercantile community itself, which is most largely interested in the matter. I believe it is owing to the laxity and the want of attention on the part of creditors, that the Insolvency Law has been so badly administered; and that if they had paid more attention to their own affairs and had looked more carefully after the administration of insolvent estates, we would not have had that general feeling of objection to the Insolvent Law which now exists. They have tried the experiment in the United States of a total repeal of the law, as you are aware; and within a very short time after it was totally repealed, we find a large number of the Boards of Trade in the most important commercial cities, petitioning Congress at this very Session in favour of the re-enactment of a Bankruptcy Law. So we find that after a large experience in the United States, in a very short time, a feeling arose, and petitions began to pour in, in favour of a re-enactment of such a law. I had hoped that some member of the mercantile community in this House would have had something to say on this subject, because, really, it is one that interests them more than any one else. No doubt it will be found that the wholesale trade, at any rate, throughout the country, both in Montreal as well as in the western Province, are, as a body, opposed to the abolition of the Insolvency Laws. The Board of Trade of Toronto, certainly, and I think of Hamilton and other cities in Canada, have passed various resolutions within the last few months against the total repeal, and in favour of certain specific modifications and improvements which ought to be introduced into an Insolvency Law. For my part I would have preferred to see a judicious series of amendments to the law rather than its total repeal. The hon. member for Stanstead says, it is now unimportant, so far as Ontario is concerned,—from which Province

the objection came most strongly last Session—because the Ontario Legislature are about passing a law which will remedy those crying evils which would have arisen if, in that Province, they had no Insolvency Law and no provision such as is contemplated in their proposed Act. I am not aware what these provisions are, but I do think it is premature for us to legislate for the total abolition of the Insolvency Laws, because the Legislature of Ontario is about to legislate in some way that we do not understand, by a measure which they have not yet passed. I think it would be better for us to wait and see what they do, and see whether the measure they propose to pass as a substitute for the Insolvent Law, will meet the case and satisfy the wants of the mercantile community in Ontario, before we totally repeal the law. I am aware it would be quite useless in this House to force to a division opposition to a repeal of the law. I, therefore, content myself with entering my humble protest against too rapid action in that direction. I should be glad if one who has given so much attention to the matter as my hon. friend from West Durham (Mr. Blake) did, when he introduced a series of amendments to the Insolvent Law, which were then represented as likely to make it almost perfect, would favour the House with his views on the question, and let us know whether he is prepared to assent to the total repeal of the Law; whether he thinks it is incapable of amendment so as to make it work satisfactorily, because any opinion on that subject from one of his experience, would be valuable to the House. While I dissent from the action the House is taking, I feel that the opinion here is so generally in favour of repeal that it would be useless to divide the House on the question.

MR. MCCUAIG: I have been informed that a Bill is now before the Ontario Legislature to protect creditors generally against the first execution creditor sacrificing the debtor's property to the injury of his other creditors for his own exclusive benefit; and though I have doubts, by reason of the power held by the Dominion Parliament over all legislation on matters of insolvency, of the constitutionality of the proceeding of the Ontario Parliament, I, nevertheless, hope it may meet the wants and expectations of its promoters, and be

MR. CAMERON.

found to work satisfactorily. I shall vote for the repeal of the Insolvency Law.

MR. WELDON: I am fully alive to the evils of the present Insolvency Law, but I quite agree with the member for North Victoria (Mr. Cameron) that, these come from the administration of the law rather than from its principles. In dealing with this matter we should look to the example of the Mother Country, where the principle of the Bankruptcy Act has never been repealed or departed from since it was first introduced into British legislation. While alterations have been made, from time to time, to endeavour to carry out the principle which was intended to be carried out, they have never departed from that principle or attempted to repeal the legislation. I consider it is essential to any community, where people are engaged in commerce, that there should be some means to protect the unfortunate debtor from the rapacity of his creditors, as well as to protect creditors from dishonest debtors. The objection has been urged against the Bankruptcy Law, that it enables persons to be dishonest in trade. I think, however, that if the Bankruptcy Law has fallen into disrepute, it is due rather to the system of credit, than to the law itself; and, further, that if the Sheriff, by execution upon judgment, or other process of law, puts the property on the market by a forced sale, to the detriment of the honest trader, it is no more than is complained is done by the Bankruptcy Law, with this difference, that the creditor who happens to be in first will get the benefit, and the others will go without anything. That would be the effect. The debtor's property is swept away to pay one of the creditors, and he is left to the mercy of the others, who, without regard to his family, may prevent him from going into business again. I am satisfied that parties in many cases go through, who have no right to get a discharge; but I cannot agree with the hon. member who has just taken his seat, that no one should be discharged. The difficulty has been among creditors themselves, who have not taken the trouble to ascertain whether a man was entitled to a discharge or not. One of the features of the Bill introduced last year, was to throw upon the debtor the necessity of getting the consent of his creditors to his discharge; and the debtor, if he could prove

that he had fully, honestly and fairly dealt with them, and that it was by misfortune, and not by fraud, that he had become insolvent, he would have no difficulty in obtaining that consent. With regard to the legislation to be introduced into the Ontario Legislature, I have not seen the Bill yet, but I understand it is a Bill to do away with priority of executions. I am not aware of the nature of the Bill, but if it is of that kind, it is very questionable whether any Bill introduced into any Local Legislature, for the distribution of the assets, may not trench upon the jurisdiction of this Parliament. With regard to New Brunswick, after the Bill was first introduced, and when it was shown that attempts to repeal it were made, and a new Bill was introduced in 1875, the legislation of that Province materially changed. I have no hesitation in saying that if this Bill should be repealed and the legislation remain as it is in that Province, it will cause serious embarrassment and loss. It would, to a certain extent, destroy our trade, which is to some extent subjected to the Attachment and Garnishee Laws now in force there, by which parties are enabled to take priority, and which we can only get rid of through the Insolvent Act; and unless those laws are repealed it will seriously embarrass trade in that Province. A Bill like this involving matters of so much importance, it seems is a matter which the Government should take charge of, instead of leaving it in the hands of private parties. While I feel that the disposition of the House, as announced by the vote of last year, is to repeal the Bill, I wish to rise merely to state that I entertain the same opinion I then expressed, and feel that in repealing that Bill we may be only getting deeper into difficulties and embarrassments, and probably in a few years this Legislature will be called upon to give again some relief to the unfortunate creditors.

MR. HESSON: I desire to explain briefly my views as to the vote I am about to give on this question. It is now about a year since a similar measure was brought before this House, and several amendments were brought in by the hon. member from Stanstead (Mr. Colby), and also by the hon. member for Jacques Cartier (Mr. Girouard). It will be remem-

bered that the Committee appointed to make some amendments that would meet the wishes of the community at large, did not meet, at all events, with the support of the majority of the members of this House. I was satisfied that some change was required by the country, whilst I was loathe to see the Insolvent Act totally repealed without some amendment to meet the emergency that would at once fall upon the trade of the country, and I voted against the repeal of the Insolvent Law then, but I also voted for the amendment, as I felt that it would be some relief if any improvement could be made. I find the year passed away, and that no measure has been submitted to the consideration of this House, and that we are now called upon to consider the repeal of the Act. I must say, that the effect of that law as it exists, is most disastrous to the mercantile morals of the country, and I feel that as the Ministry have not seen it their duty to introduce an amendment to the present Act, it is now the duty of this House, and the country calls upon this Parliament, to repeal that law entirely. I have no hesitation in saying here, that I am prepared to vote for the repeal of the Act, in view of the fact that no amendment has been submitted to this House; and that the trade of the country cannot be worse in consequence of this repeal from any change that may ensue. As a trader myself, of over twenty years standing in the country, I feel that the wholesale merchants may, perhaps, be the greatest sufferers for a time; and in their interests I voted for a continuance of that law last year, in the hope that something better would be introduced. That not having been done, I now feel myself called upon to support the Bill, introduced by my hon. friend from Stanstead.

MR. MCLENNAN: Before this question is disposed of, as I do not see any members representing Montreal in the House, and reference has been made to the relation of the commercial interests to this question, I beg to say that I quite agree with my hon. friend from North Victoria (Mr. Cameron), and also with the hon. gentleman from St. John, (Mr. Weldon), that no commercial community can carry on business for a long time satisfactorily, without some provision of an Insolvency Law; and if there is no

movement made in this Parliament to repeal the absolute repeal of that law, I may say that in my opinion, it is not because the great commercial community is a party to this Act, but because the opinion of the country at large has been expressed so strongly, that it appears to be the wisest course, at the present moment, to allow this law to go by the board, and so let the evil that will follow work the necessary cure. Speaking with some knowledge of the large commercial interests of the country, I believe that the impression is quite in favour of an Insolvency Law; and I believe that after the experiment of its abrogation has been tried, we will have another law. I may say that a provision in the Law of Lower Canada, for the distribution of our estate in execution, is not regarded as of so satisfactory a nature as would be implied from what has been said to-day. I believe that mercantile men and others have found that law to be inadequate in Lower Canada, and I have no doubt at all that if a law is passed in Ontario, such as is now contemplated, it will be found to be quite inadequate also. I do not look for any good to come from the passing of such a law. I merely make these remarks to prevent the idea from going abroad that the repeal of the Insolvency Law is carried with the approbation of the large commercial interests of the country. I believe that these interests will be found to be in favour of an Insolvency Law, and that they are simply acquiescing for a moment in its repeal until the evil shall work its own cure.

MR. ROBERTSON (Hamilton): I cannot allow the measure, which is now before the House, to be voted upon without expressing my view in reference to it. During the last Session, I had an opportunity of doing so, and as I continue to hold the same opinions, I wish to state them by way of protest to this Bill becoming law. I am perfectly satisfied the commercial community, at all events, of Ontario, and, I believe, of Quebec, are fully confirmed in the idea that it is absolutely necessary that a well considered Insolvency Law should be on the Statute-book of our Dominion. On considering the views expressed in this House and the votes given, it is quite apparent that those constituencies which may be regarded as commercial constituencies,

have always, by their representatives, voted in favour of the continuance of the law. No doubt, the opinion is very strong that the law may be beneficially amended; but I agree entirely with the hon. member for North Victoria (Mr. Cameron) and the hon. member for St. John (Mr. Weldon), that the law as it now exists is really, in its principles, all that can be desired, unless it be capable of amendment in reference to the Official Assignee. It is strange, that where a community, like the commercial community of this country, is so much interested in this very question, that they do not interest themselves more in the winding up of insolvent estates. Experience has taught us that they leave their interests in the hands of one or two Inspectors, and of the Official Assignee, and the consequence is that instead of getting, in many cases, fifty to seventy-five cents in the dollar, they generally came out with but ten or fifteen cents. That has given great dissatisfaction; but the property should be managed by those whose claims upon it stand strongest. I think it would be a great calamity to dispose of the Insolvent Law in the manner proposed by the hon. member for Stanstead (Mr. Colby). That would leave us in the same state we were in preceding the enactment of the Insolvent Law. I understand that hon. members are willing, so far as Ontario is concerned, to allow the Bill now before the House to go, because it has been announced that the Ontario Government is about introducing a measure that will afford some kind of relief in that direction. I believe that that is the intention of that Government; but this is a very early part of the Session of Parliament, and we do not yet know the purport of the Ontario measure, and, therefore, I would suggest to the hon. member who introduced this Bill, that he allow it to stand over for a week or ten days, in order to give us an opportunity of seeing what will be proposed for Ontario. If this be not done, I think it would be worth while to consider whether it would not be wise, in the interest of the honest traders, to introduce some amendment to the Bill which would do away with the advantage which the sharp creditor would have, and which the dishonest debtor would give him, by allowing the first execution to come in and sweep off all the assets. Such a measure was proposed last

Session, but was rejected; when, fortunately, the Senate came to the relief of the country, and rejected the Bill then passed. The delay I recommend can certainly not jeopardise the fate of the Bill, because I feel there is no doubt whatever that the House is determined to repeal the present law; but, at the same time, I cannot understand that there should be no provision whatever for the protection of creditors. We have in Ontario an Absconding Debtors' Act, which may be beneficially used to work out something for the creditors; and I understand this is the idea to be carried out by the Ontario Legislation; that is, that when a debtor absconds, a writ is issued, and all his estate is taken into the possession of the Sheriff, and held for the general benefit of all the creditors who may get judgment within a certain time. Something like this might be done now; and, in case anything should happen so as to prevent any Bill of that nature passing in Ontario, I certainly think it would be well, if the member for Stanstead would consent to allow his measure to stand over ten days or a fortnight, in order that we may ascertain the fact.

Bill read the second time.

#### REPORT.

SIR CHARLES TUPPER laid before the House,—Annual Report of the Minister of Railways and Canals, for the fiscal year 1st July, 1878, to 30th June, 1879, on the works under his control.

House adjourned at

Twenty-five minutes before  
Eleven o'clock.

#### HOUSE OF COMMONS.

Friday, 20th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

#### NEW MEMBER INTRODUCED.

MR. SPEAKER informed the House that he had received a certificate from the Returning Officer at the last election for the Electoral District of Montmorency, that Aguste Réal Angers, Esq., was duly elected for the said Electoral District.

AGUSTE RÉAL ANGERS, Esq., member for the Electoral District of Montmorency, having previously taken the oath, according to law, and subscribed the roll containing the same, took his seat in the House.

MR. LANGEVIN: As the return made to you, Sir, is on the certificate only, I beg to move the ordinary resolution in such a case.

MR. MACKENZIE: If this motion is a proper one to make at all, it should be made before the member is introduced.

MR. LANGEVIN: I think this is the ordinary course which has been followed in similar cases since I have been in Parliament.

MR. HOLTON: I think my hon. friend will find that the motion is generally made before the admission of the member, who is not entitled to admission, except as a matter of courtesy on the part of the House, until the regular return is received. We have been in the habit of admitting members formerly on indentures and then passing a resolution analogous to this; but the authority for the newly elected member to claim his seat is founded upon the return to the writ made by the Returning Officer. As it frequently occurs that the member arrives in advance of the return, the uniform practice has been to admit members upon presentation of the indenture or certificate, but by a resolution of the House before they took their seat. No member has a *prima facie* right to a seat here when the return has not been received, unless a motion has been previously made.

MR. LANGEVIN: In 1877, after my second election, when I came to the Bar of the House and claimed my seat, I was admitted, and then a motion was made by the hon. member for Lambton, similar to the one now before the House. I have no doubt the hon. member for Lambton will consider that a very good precedent.

MR. MACKENZIE: I think the authority seems to be indisputable.

MR. HOLTON: I am quite sure it was not the former practice, and I am equally sure that, by whatever authority it is sustained, it is a faulty practice, because the right to a seat reposes primarily on the return of the writ. I cannot, in view of what my hon. friend has just stated, say that it has been the uniform



practice to make the motion before the introduction, but it is the proper practice, and I am quite sure it was the practice in the earlier years of my experience.

MR. MACKENZIE: My recollection is that, when the hon. gentleman (Mr. Langevin) was introduced, I called attention to the irregularity, and moved the resolution in order to get over that irregularity as well as possible.

MR. MASSON: By reference to the Journals of the House, the hon. gentleman would see that this was almost the invariable practice when he held office.

*Resolved*, That, in admitting A. R. Angers, Esq., elected to represent the Electoral District of Montmorency, to take his seat upon the certificate of the Returning Officer, this House still recommends a strict adherence to the practice of requiring the production of the usual certificate of the Clerk of the Crown in Chancery of the return to the writ of election.—(Mr. Langevin.)

#### THE LATE ACCIDENT TO THE VICE-REGAL PARTY.

##### REMARKS.

MR. MACKENZIE: I wish to call the attention of the hon. the leader of the Government to a matter which I think should engage the attention of the two Houses. Last Saturday, a dangerous accident happened to His Excellency the Governor-General and Her Royal Highness the Princess Louise: an accident which might have resulted seriously, if not fatally, to both of them. Several municipalities have tendered their sympathy with these illustrious personages, and congratulated them on their escape, and I think it would have been only proper that this House should express its sympathy with these illustrious personages under the circumstances, and express its congratulations that they escaped from the much more serious injury to which they were exposed. Everything is of interest to this House, and to the people generally, which concerns His Excellency the Governor-General, and his Royal Consort, the dear daughter of our beloved Queen, who, since she has come to Canada, has made herself so beloved by all. I would suggest the propriety of Parliament giving expression to the sympathy which is universally felt. I have allowed the matter to rest for several days, thinking the matter would be proceeded with by the Government. I have no doubt

MR. HOLTON.

that the members generally will concur in the propriety of such a proceeding.

SIR JOHN A. MACDONALD: Every member of the House will, I hardly need say, agree with the hon. gentleman as to the propriety of expressing our sympathy with regard to the unfortunate accident which happened the other day to the Representative of the Sovereign, and the daughter of our beloved Queen. It has not escaped the attention of myself and colleagues that it is expedient to express the regret which we all feel in reference to that unfortunate occurrence. The reason why it has not been submitted to this House before, and why, no doubt, it has not been submitted to the other House is—as the hon. gentleman can quite understand—that, at such a distance from England, it was of importance, and it was the desire of His Excellency the Governor-General, that no alarm should be given to our beloved Sovereign, the Mother of Her Royal Highness, by attaching, perhaps, undue importance to this unfortunate accident; as it might have had the effect of increasing alarm in England. I am happy to be able to state, that, though they have had an accident in which they had a very narrow escape from the most serious consequences, the Vice-Regal party have nearly overcome the consequences. I would here take the opportunity of calling the attention of the House to the remarks in one of the newspapers to the effect that the accident resulted through the refusal of the Department of Militia to send an escort to the Vice-Regal party on the occasion. The hon. member for Lambton (Mr. Mackenzie) will see how absurd such a statement is. An escort is ready at any time at the request of His Excellency; and any escort that might have been asked for or required would have been granted in this case; but none was requested. His Excellency was not desirous, on such a night, of exposing the Dragoon Guards, who, however, if desired, would have only been too glad to form an escort. But, as His Excellency wished to spare them, the usual requisition was not made.

#### INTRODUCTION OF PUBLIC BILLS.

##### NEW RULE.

MR. SPEAKER announced that a new rule had been adopted by which in future

a place would be given, to Bills for introduction, in the printed list of Votes and Proceedings of the House.

THE ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

MESSAGE FROM HIS EXCELLENCY.

SIR JOHN A. MACDONALD delivered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“*Gentlemen of the House of Commons:*

“I acknowledge with thanks the Address you have loyally adopted in answer to the Speech with which I opened the Session, and I rely with confidence on the assurance that the important measures submitted to you, will receive your careful and full consideration.

“GOVERNMENT HOUSE,

“OTTAWA, 20th February, 1880.”

CRIMINAL PROCEDURE LAW AMENDMENT BILL.

(*Mr. Robertson, Hamilton.*)

FIRST READING.

MR. ROBERTSON (Hamilton) introduced a Bill (No. 14) To amend the law with reference to procedure in criminal cases, and the duties of Justices of the Peace out of Sessions, in relation to persons charged with indictable offences. He said: The object of the Bill is to declare, as part of the law of this country, two sections of the Imperial Act, 30 and 31 Vict., cap. 35, commonly known as Russell Gurney's Act. By that Statute, in England, when a person is charged with a crime, he has a right to ask the magistrate who is investigating the charge, previous to his committal or dismissal, as the case may be, that his witnesses may be examined; so that if he is too poor to compel their attendance by subpoena, they may be bound over to give evidence at his trial. Section 3 of the Bill now introduced proposes to amend the 32 and 33 Vic., cap. 30, sec. 30, of the Dominion by striking out the words “or is absent from Canada.” This section proposed to be amended enables evidence taken before a Magistrate on the investigation of a charge against a person accused, where the depositions of the witnesses are properly signed by the witnesses and by the Magistrate taking it, to be used at the trial, in case of the absence

by death or illness, of the witness, or if absent from Canada; but, by this amendment, it is intended that the deposition shall be read against the accused only when the witness is absent, through death or by illness, but not when he is simply absent from Canada. My experience has taught me that that section of the Dominion Statute goes too far. In England, the law on this point only extends to cases where the witness has died or is too ill to travel. Two or three cases within my own knowledge have demonstrated that the law as it stands is capable of being enforced most prejudicially to the accused. It is proposed, therefore, to strike out that part of the clause which makes this practice applicable to cases where a witness, having left Canada, is not present at the trial. Section 4 of the new Bill proposes to amend the 35th Section of the 32 and 33 Vict., Cap. 30, which enables a Justice or Magistrate,—if he thinks it in the interests of justice,—to expel, all persons from the room where the examination is going on. Now, on several occasions, in my own experience, Justices have thought it allowable to inform counsel, in attendance on behalf of the accused, that they were there on sufferance, and that, if it was not the pleasure of the presiding Magistrate, they could not be there at all. I propose, therefore, to add a proviso that, while it shall be in the power of the Magistrate to exclude the public, the prisoner shall not be deprived of counsel learned in the law, to watch the case, and both cross-examine witnesses against the accused, and examine witnesses on behalf of the accused; in fact to make it quite clear that prisoners may retain and employ counsel and attorneys at their preliminary examination. Section 5 of the proposed Bill has reference to the exclusion of witnesses at the trial in criminal cases. In Ontario, witnesses can be excluded in civil cases, but not in criminal cases. This new proviso proposes to give either the Crown or the prisoner the right to require all witnesses, not under examination, to be excluded from the Court-room during the trial. Section 6 proposes to repeal sub-section 2 of section 45, chap. 29, of 32 & 33 Vic., the Dominion Act, and to substitute a new section; the difference between the two is very slight. The law, as it is now, declares that, on the trial of any persons for an indictable

offence, the reply of counsel shall be so regulated that, whether the accused calls witnesses or not, the Attorney or Solicitor-General, or any Queen's counsel representing the Crown, shall be entitled to reply. I propose to amend that by confining the right of reply to the Attorney-General or Solicitor-General, when prosecuting in person. In England there is no statutory provision on the point, but it is the practice there that, in all cases where the Attorney-General prosecutes, he shall have the right of reply, but here in Canada, it has been extended to a Queen's counsel acting on behalf of the Crown. As this House is aware, a question has arisen as to who are Queen's counsel; and I propose to settle the matter, so far as this particular part of the criminal procedure is concerned, by asking that the Statute may be amended by confining the right of reply to the Attorney-General, or Solicitor-General, when prosecuting in person. These are the amendments which I propose to make to the present Bill.

MR. MACDONNELL (Inverness): In my opinion that right to reply is given to the public prosecutor by virtue of his acting on behalf of the Crown, not simply as being Attorney-General. I think this right is allowed to the Crown and not to the Attorney-General in his individual capacity, and that, therefore, it should be allowed to all public prosecutors acting for the Crown.

*Bill read the first time.*

#### BILL INTRODUCED.

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

Bill (No. 15) To fix the rate of interest, and to prohibit usury in the Province of Quebec.—*(Mr. Methot.)*

#### BRITISH COLUMBIA—ADDITIONAL SUPREME COURT JUDGES.

#### RESOLUTIONS CONSIDERED IN COMMITTEE.

House resolved itself into Committee, to consider certain proposed Resolutions, respecting the better Administration of Justice Act, 1878, of British Columbia, and to make provision for the salaries of two additional Judges of the Supreme Court of British Columbia.

(In the Committee.)

MR. McDONALD (Picton): It will be in the recollection of this Committee that at the last Session a similar resolution was adopted by this House,

MR. ROBERTSON.

and a Bill founded thereon and passed through the House. For some reason the Bill failed to pass through the other branch of the Legislature. The Act for the better administration of justice in British Columbia not having been repealed, I ask the House to adopt this resolution, on which to found a Bill, providing for the salaries of two additional Judges. The subject was discussed during the debate on the Bill last Session. I will, therefore, only make one or two observations, showing the necessity which, in the opinion of the Legislature of British Columbia, exists for the addition which they ask to their Judicial staff. At present that Province has three Judges of the Supreme Court, with five County Court Judges, or Stipendiary Magistrates, who reside in different sections of the country and who were appointed at the union of that Province with the Dominion. It is the opinion of the first officer of the Crown in that Province that the mode of administration of justice, at present, is neither efficient nor effective, and it is proposed to add two Judges to the Supreme Court, making it five instead of three, who should be County Court Judges as well as Judges of the Supreme Court. The judicial strength of the Province, will then consist of five Judges of the Supreme Court who will exercise all the duties pertaining to their functions as Judges of the Supreme Court, and who will also be County Court Judges, within their several judicial districts, which are defined and set forth by another Act. The Act also provides that three of these Judges shall reside on the mainland, two residing in the city of Victoria in Vancouver Island. The question suggested last Session, on the discussion, was as to the expense incurred, the additional cost, as it was said, in the administration of justice in that Colony. I need scarcely repeat what I said then, in reference to that subject. The members of the Committee, who recollect that discussion, and were familiar with the history of that colony during 1870 and 1871, will recollect that the present Stipendiary Magistrates held office as Indian Agents, before the union of British Columbia with the Dominion. They were continued in office on terms specified in the Terms of Union, and on condition of being entitled to receive a superannuation, or retiring

allowance, in the event of their ceasing to hold office. They were on retiring to receive two-thirds of their salaries. There were six Stipendiary Magistrates at the time of the Union. The Magistrate resident at New Westminster at that time has since died, and his place has not been filled, although at present there are five Stipendiary Magistrates receiving salaries. A comparison which has been submitted to me of the saving which the change would make shows a balance in its favour of \$2,042. So that, as far as I am able to judge, the change would not entail any additional expense upon the Dominion, in the administration of justice in that Province. I am informed, however, and I have no doubt correctly, that the change would really occasion a very large saving in the travelling fees payable to the Judges of the Supreme Court, who go on circuit. As to the exact amount which would be saved, it was stated during last Session by some gentlemen opposite, and perhaps with some truth, that the Judges residing in the mainland districts would also be entitled to trifling fees in attending Courts. That may be, and still I fancy the saving which they would make in the ordinary administration of justice as County Court Judges would make a very material difference. The travelling expenses of the Judges in that Province for the last four or five years according to the memorandum I have received from the Auditor-General are as follows:—1875, \$12,400; 1876, \$11,836; 1877, \$8,996; 1878, \$8,900; 1879, \$7,034. So that the expenses appear to be gradually decreasing, and, if the information on which I make the statement be correct, there could be little doubt that, so far as expense is concerned, the change is a desirable one. 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.

MR. BLAKE: I think we ought to consider the subject a little more fully before coming to the conclusion proposed by the hon. gentleman. The question was before the House last Session, and also before the other branch of the Legislature, and it received a long discussion in both branches. I suppose the hon. gentleman has perused the report of the

views that were unanimously expressed in the Senate, by the members representing British Columbia, on the working of the judicial system in that country and its peculiar needs. They made remarks of extreme consequence to us in deciding whether we ought to take the course now proposed. I have always maintained, while I had the honour of sitting here, that we are not bound, simply because a Provincial Legislature proposes the appointment of a Judge, to provide a salary. I think any other view of our duties would result, in the nature of things, in a very expansive notion, on the part of the Local Legislature, as to what the judicial requirements were. When you find one body creating judgeships, whose occupants are to be paid, not by their creators, but by another body altogether, it is natural that the creating body, not being checked by the consideration of expense, should be extremely liberal; and it is necessary that the scale of judicial requirements should be carefully scanned by those who are to bear the burden of paying the officers. Therefore, I regard it as important that in every case we should assert our right to consider what the general scale of expenses for the administration of justice should be in the Province, and to decide whether, upon the whole, there are reasonable grounds for the addition proposed. At the same time, I cordially concur in some part of the remarks which were made, as I see by the report, by the hon. gentleman who leads the Government, and by the leader of the Government in the Senate last Session. I quite agree that, as a general rule, unless there are good reasons the other way, great weight ought to be attached to a proposition deliberately made by a Provincial Legislature. But this subject is one of peculiar significance. It has been pointed out before, and I repeat, that the expenses for the administration of justice in British Columbia are, relatively to its population, enormous and utterly disproportionate to those of any other Province; and I say that, even when due regard is had to the circumstances that a reduction in numbers does not proportionately reduce the cost, and that the area of British Columbia is large, and the difficulty of access to some portions of that Province are great, nevertheless, all said and done, it is a most

serious thing that the expense we are called upon to provide in British Columbia, for a judicial staff for a population of between 10,000 and 15,000 whites approximates nearly to that for the judicial staffs in the Maritime Provinces, in each of which there is relatively an infinitely larger population. Now, the comparison of cost the hon. gentleman has made, if it were indeed a fair comparison, would entirely break the force of what I have just been saying, because the hon. gentleman contends that the true result of this change will be, to effect a considerable saving. But the process by which the hon. gentleman has reached that result is very peculiar. It was conceded, last Session, that there would be an increase in salary, though it would be but a moderate increase of between \$3,000 and \$4,000, but the hon. gentleman, for the purposes of his argument, and in order to produce this saving, has been pleased to raise the ghost of the deceased Judge Bushby, who departed this life five or six years ago, who has never been replaced, and for a successor for whom no need was found until it was required in order to found an argument before the Committee this afternoon. It is not pretended, so far as I know, that there will be any necessity for replacing that County Court Judge supposing this measure does not pass. It was during my tenure of office that the subject first came under consideration. I was not able to advise Parliament that a case had been made out for the replacement of that Judge. It appeared to me, from the best consideration I could give the subject, that there was no occasion for it, and that view was adopted; and, although during one or two years a vote was asked, it was only asked conditionally, in case it should be necessary to replace the Judge, but he never was replaced. In the comparison that the hon. gentleman has made, I desire to introduce another element which I think is only reasonable. While it is to be admitted that, in reference to County Court Judges, there has been a diminution in salaries, though not in travelling expenses, owing to the death of this Judge, it is to be remembered that, upon the occasion of Confederation, there was an addition to the Supreme Court. That was composed of two Judges, but upon the suggestion, if I remember rightly, of the

hon. gentleman then holding the office of Minister of Justice, and now leading the Government, and who thought that terrible consequences would ensue if there were only two Judges in any Province, an additional Judge was given to British Columbia, and also to Manitoba, so that in case of a division of opinion there might be a decision. The staff, then, is left at its original point as at Confederation, though at an increased cost. Now, I maintain, no strong reasons have been given to induce us to agree to this change. The hon. gentleman has alluded to the difficulty arising from the extended area of the Province. In the interior of the Province, to which it is difficult to obtain access, there are comparatively small fluctuating and changing populations engaged in mining industries, and it is, of course, necessary that there should be some means of administering justice amongst those people. But I do not think the proposed measure, which is one partly of centralisation, because a fewer number of Judges is proposed, is calculated to grapple with the difficulty. I think that to have Judges of an inferior grade who can travel cheaper, and who will reside nearer the centres of action, will be found to be more satisfactory to the people, and more economical to the country. I think that the three Supreme Court Judges and the five County Court Judges are, if properly placed, adequate, notwithstanding the distances which they are obliged to travel, efficiently to administer justice in British Columbia. The relatively small increase—for I admit that the increase is relatively small—will not be productive of increased efficiency. You are pensioning five Judges who have administered such justice as is required satisfactorily in the remoter parts of that community in the smaller classes of cases; you are replacing these five with two new ones, and I do not believe this will give equal satisfaction, on the contrary, you will soon be called on for more Judges. It may be considered rather impertinent for a member of this House to be setting up his wisdom against that of the Legislature of British Columbia, but I am not speaking on my own judgment alone, though I gave the general question much consideration when in office; I am stating very shortly the view that was unanimously taken by the representatives of

British Columbia in the other branch of Parliament. The Hon. Senator Cornwall, and two other gentlemen from British Columbia, discussed this question there, and they pointed out that the proposed changes would not give equal satisfaction to the present system, that there would be greater difficulty than now in getting justice administered expeditiously, and they insinuated what I, for one, should never have dared to insinuate, that the object of this Bill, which was based upon a request of the Legislature of British Columbia, was to make two places which must be necessarily filled by Provincial politicians. Such was the view which was taken by the representatives of that Province in the Senate, of the objects and motives which had inspired that legislation. With reference to the travelling expenses, they have been cut down. I found, when in office, that a course had been adopted which I thought peculiar. First of all, according to the old system, the Judges, had been paid travelling allowances, which covered all their travelling expenses, and a per diem allowance besides. But, shortly after the accession to office of a learned Judge, appointed by the hon. gentleman opposite, it was suggested that the Judges, as in the older Provinces, should receive a fixed circuit allowance of \$100, but not as in these Provinces in a substitutionary sense. The arrangement was that they should be paid the old travelling expenses and allowance, and that they should receive, in addition, that which represented the travelling expenses in the older Provinces. By that process the expenses, always too large, were considerably increased. Another example of the same mischief to which I have referred, as flowing from the creation by one Legislature of expenses to be provided by another Legislature, was in reference to the circuits ordered by the Local body. We found an Act of the Legislature ordering a circuit in a remote part of the country the travelling expenses of which, judging from experience, would reach \$2,500, and on which there would be perhaps one, perhaps no case tried. We resisted as far as we could such legislation as that, and indicated in very clear language that it was impossible that the administration of justice should be conducted on such an expensive scale. I mention these things in order to show how it happens that the

travelling expenses of 1878 were so much less than they had been in former years, and why it is that we are not to expect that it will continue so low if we reduce the number of Judges, and consequently increase the amount of travelling they will have to do. Believing that this measure is not in the true interests of the people of British Columbia, or of Canada; and agreeing with the observations made by the representatives from that Province in the other branch of the Legislature, having formed the opinion that the supposed increased expenditure will not really represent the measure of the increase, both by reason of the amount of travelling expenses, and because we will presently be called on to appoint men to fill the places of those whom we are displacing to-day, I have thought it right to make this statement to the House. I do not propose personally to ask the House to divide at this stage of the resolutions, but I did not think it was fit that they should pass through Committee without reference to the considerations which were cogent enough to induce the other House last year to reject this Bill and, in my opinion, are sufficiently cogent to require us to pause before we pass it this year.

MR. ANGLIN: I was one of those who last year opposed this measure, because I could not see, nor could I be satisfied by any arguments produced on the other side, that this increase in the Judiciary was necessary to British Columbia. I was rather inclined to regard with suspicion the theory then propounded, that, because the Local Legislature chose to provide for an increase in the Judiciary, we must supplement their action in this House. The older members of this House must recollect that, when the Union with British Columbia took place, there was some discussion with regard to a number of gentlemen then known, I believe, as Police Magistrates. It was shown then that it would be better to retain those gentlemen in the positions they occupied, although it was said some of them were not lawyers at all, than to pension them off, as was provided for by the Resolutions of Union. It is now proposed to have two additional Supreme Court Judges. If it is necessary to have five Judges now, because of the extent of territory, it will be found difficult by-and-

bye to have those duties discharged by means of only two additional Judges. The territory is a very extensive one, and requires a larger number of Judges, in proportion to its population, than any of the older Provinces. My impression last year was, and it is the same this year, that the present staff, in that Province, should be amply sufficient for all the work it is possible they may be called upon to do. Last year I spoke of the extraordinary amount which was paid to Judges in that Province for travelling expenses, and, without having consulted the books, I ventured to say that they were about as large as the salaries. That was then laughed at on the other side of the House, as entirely unwarranted by the facts, but I think the statement read this afternoon by the hon. the Minister of Justice, proves that I was nearly correct. A few years ago those charges amounted to a great many thousand dollars every year. How they have been reduced in these later years, whether it is that the Judges formerly overcharged, or made journeys entirely unnecessary, or whether it is that the amount of work in the Province has been reduced, and, therefore, that they are no longer called upon to hold Courts so frequently in the remote districts, as in former times, we are left entirely to conjecture. Now, I do not believe that under the provisions of this Bill any saving will be effected. The Judges to be superseded will descend into private life, upon large retiring allowances. They are a number of gentlemen, who, for some years past, have been rendering services of more or less value, and you are endeavouring to supply their places by appointing a number of Supreme Court Judges, who will have to discharge in that country, not only such duties as the Judges of that rank perform in the other Provinces, but also, to some extent, the duties of Police Magistrates. I do not know why we should provide for the performance of the duties of Police Magistrates in that Province, any more than in any other Province of the Dominion. The other Provinces are required to provide the salaries for Police Magistrates. I believe, by and by, the Judges will themselves desire to be relieved of the discharge of those duties, and that a measure will be brought into this Parliament for that purpose.

**MR. ANGLIN.**

**MR. DECOSMOS:** Will the hon. member for Gloucester (Mr. Anglin) explain what the police duties may be, that the Judges may have to perform?

**MR. ANGLIN:** I understand that those were Police Magistrates who tried ordinary cases of crime, such as theft, assault and battery, and the use of abusive language, if that is a criminal offence in British Columbia, and prosecuted preliminary enquiries in cases of a more serious character. These are merely the duties performed by Police Magistrates in various parts of the country. Whether these Police Magistrates in British Columbia have a right to try men charged with higher offences, not capital, and questions affecting property, I am not prepared to say. I have no doubt the hon. gentleman can enlighten us on this point. Of these Police Magistrates some were not even lawyers. Nevertheless they performed their duties to the general satisfaction of the country, administering, I suppose, a rough, even-handed justice. It is as a substitution for these gentleman that we are asked to create additional Judges of the Supreme Court. I do not think it is desirable that we should require the Judges of that Court to discharge duties of this kind. I do not believe that, if they were called upon to discharge those duties, they would be discharged very efficiently. The argument that we are to save any money by this proceeding, I think, has been proved by the hon. member for West Durham to be delusive. The Bill was passed last year, notwithstanding some opposition from this side of the House. I presume the resolutions will now pass; but, having opposed the scheme last year, because I believed it uncalled for, I feel it my duty to repeat briefly the objection I then made.

**SIR JOHN A. MACDONALD:** I acknowledge there is a great deal in the arguments used by the hon. member for West Durham, and by the hon. member who has just spoken. But, as has been said before, it is very difficult indeed for the Federal Parliament to decide, when a wish is expressed by the Legislature of any Province, that it should be disregarded. The constitution, organisation and maintenance of the Courts are left to the Provincial Legislatures. The costs and responsibility for the administration of justice, excepting the salaries of the

Superior Court Judges, are thrown upon the different Provinces, whose Governments are responsible for their peace and good government. So that, when a Provincial Legislature passes an Act, declaring that an additional number of Judges is required for the due administration of justice, it is incurring a great responsibility for the Federal Parliament and Government to say: You do not want them; you can administer justice and keep the peace of the land without them, and therefore we refuse to appoint them. As a general rule, I think we may safely trust to the discretion of the Provincial Legislatures in this regard. They have their own responsibility, and must know that, in putting additional burdens on the Treasury of the Dominion, they are increasing the burdens of their own people. Of course, I quite understand the answer that will be given is, that the immediate advantage there of the salaries of the appointees will overcome, perhaps, the reluctance of the people in the Province, to pay their share of the burden.

MR. BLAKE: Some of the Provinces do not pay into, in the same proportion as they receive from, the general Treasury.

SIR JOHN A. MACDONALD: That may be; but I do not know that, every time a question arises as to whether an additional Judge should be appointed in any Province, we can enter into the question of the amount of its contributions to the Treasury of the Dominion. I do not think we ought to import that question into this discussion.

MR. BLAKE: I was not importing it in that sense, but as giving an additional reason why some Local Legislatures should be more careful in regard to expenditures of this kind. The right hon. gentleman said the people of British Columbia, would be putting their hands into their own pockets; but sometimes people put them into other people's pockets.

SIR JOHN A. MACDONALD: No doubt such considerations should not be overlooked. The burden of the administration of justice is thrown on the Provincial Legislatures; and when such powers are given them exclusively, we having no right to interfere with their powers, it is assuming a very great responsibility for us to say: Although you declare certain Judges are wanted, and

have passed an Act constituting a particular Court, we refuse you the means required to carry that policy into effect. I quite understand we are not obliged to grant the salaries; and, if it was proved to the consciousness of the House that, beyond a doubt, the Legislature of any Province had made appointments solely for the purpose of creating new offices, and getting the advantage of them in the expenditure of the salaries, we should be justified, on reasonable evidence that that was the design of the Legislature, in refusing to gratify that wish and motive. But it is not suggested here that that is the case. It is quite true that the white population in British Columbia is not very large as yet; but there is a large Indian population, some 50,000 souls.

MR. MILLS: About 30,000.

SIR JOHN A. MACDONALD: That is also a disputed point; but say 30,000 besides whites. They are scattered over that "Sea of Mountains"—I beg the pardon of the hon. member for Vancouver for using that expression—living at isolated points, and the administration must extend to them, as well as to the white population. The Indian criminal must be tried exactly in the same way as the white. It is a country of magnificent distances, and therefore it may be necessary for the Judges to make long and difficult journeys; and I presume the Legislature of British Columbia thought it was necessary to increase the number of Superior Court Judges, and scatter them over that country, for the purpose of more conveniently and speedily bringing offenders to justice. The hon. member for Gloucester thinks that Superior Court Judges would not efficiently perform their duty in small cases. I do not think there is any fear of that, but that they would perform small and great with equal zeal and efficiency. In Manitoba, the Judges hold small as well as large Courts in the administration of summary justice. The reason why the Government has brought this proposal down again, is this: The Act is on the Statute-book, and we think it is our bounden duty, as there is no evidence that the Legislature of British Columbia acted through any improper motive, or any other motive than duty to the Province, in the organisation of Courts of Justice,



not to refuse it, by saying they were altogether mistaken, and thereupon refusing the salaries required. I would have been well pleased had that Legislature postponed this legislation. I might personally think that, with the present number of Superior Court and County Court Judges, the demands of justice in that Province might be fairly met; but I do not know that I have a right, in the absence of all evidence that the Legislature was wrong, to assume the responsibility of saying that, although in the exercise of its Constitutional right it declared two additional Judges were wanted, it should not be granted the means for the payment of their salaries.

MR. MILLS: The right hon. gentleman has taken a somewhat different view on this from that which he expressed on another question lately. He thinks the House must assume that the British Columbia Government acted properly, unless it can be shown it acted improperly in this matter; I think the burden of proof lies the other way. I think the House is exercising an independent power; it has undertaken to vote this money, and when the hon. gentleman asks us to provide for the payment of additional Judges, on him devolves the responsibility of showing that additional Judges are necessary. Certainly, when County Courts were wanted in Nova Scotia, he did not take exactly the same view as to the functions and duty of the House in the appointment of Judges, and in providing for their salaries, as on the present occasion. I remember that, then, the friends of the hon. gentleman in the other House rejected the proposal to provide for the payment of the Judges in a Court which the people of Nova Scotia thought necessary for the due administration of justice. Before the House is called upon to provide for the payment of two additional Judges for a Province containing less than 40,000 people, all told—a population which, in Ontario, has justice administered by a single Judge, in nearly all civil cases—the hon. gentleman should prove conclusively to the House that the Judges of the present Courts are inadequate to the discharge of the duties devolving upon them. That has not been attempted. He should have called upon the Provincial authorities for proof that the Judges were overworked and needed help.

There should have been no difficulty in getting information to convince the House that this provision is necessary. But the right hon. gentleman said he, himself, was not convinced, but was rather inclined to think that the appointments are not necessary, and that the only protection which the country had, and has against unnecessary demands is that the cost of such Courts would devolve exclusively upon the people of the Province. He has not undertaken to show that the appointment of these Judges would impose any additional burdens on the people of British Columbia or what amount of the existing burdens in the administration of justice they bear in connection with their Courts. All this would have been useful and proper, and would have enabled members to deal intelligently with this question. The hon. gentleman should give us this information before asking us to vote the money required. He has been anxious, of late, to send matters of this sort to Committees. It seems to me, therefore, that the hon. gentleman should appoint a Committee to investigate this question and so obtain the information necessary to enable the House to arrive at an intelligent conclusion on this proposition.

MR. THOMPSON (Cariboo): When this subject came before the House last year, I gave the reasons which I thought justified me in supporting the Bill. I then stated that the County Court Judges, to the best of my knowledge, had given satisfaction—at least in the portions of the country with which I am acquainted—by their conduct, but that the general opinion of the people of British Columbia was in favour of the proposed change. I thought it my duty to support the Bill, more especially as it would have the effect of more expeditiously administering justice throughout the country, at the same time lessening its expense, as regards the detention of prisoners before trial, and the travelling expenses of Judges, constables and witnesses. The long periods during which prisoners have been detained, awaiting trial, have proved a serious detriment to the Province, and I think the House will agree with me that this evil should be remedied. Prisoners have been kept from nine to twelve months in jail, awaiting trial, and afterwards acquitted. Why were they

detained so long? Simply to economise the operations of the Supreme Court, which was limited to the holding of one circuit per annum, instead of two, in the country parts. If an offence was committed in the month of November, prisoners accused thereof were obliged to be in jail, sometimes fettered on account of there not being officers to watch them, for ten or eleven months, until the Chief Justice, or one of the other Judges, came around to hold the Court of Assize, and this was done at the expense of the Province. In one case five prisoners were imprisoned for nearly a year, and at the end of that time three of them were acquitted. The hon. member for Gloucester has made some statements, which in my opinion need correction. He has said, for one thing, that County Court Judges, whom it is now intended to supersede, performed the duties of Magistrates. It is true they did perform that duty before Confederation, but since then they have refused to perform such duties, in cases where Justices of the Peace were within a distance of a hundred miles, who could be brought to adjudicate upon them. In some cases it was impossible for the County Court Judges to adjudicate upon them. In cases of infringement of the law prohibiting the sale of liquor to Indians, an appeal is provided for from two Justices of the Peace to a County Court Judge. The County Court Judges cannot, consequently, hear cases of that sort. The hon. member for Gloucester has also stated that the expenses of travelling of our Judges are nearly equal to their salaries. It is true, he stated that he made that statement without having looked into the matter closely, but when he comes to make an assertion of that kind he should first scrutinise the Public Accounts, which show that, out of \$85,000 paid to our Judges only \$7,000 is charged to travelling expenses. The member for West Durham has laid great stress upon the argument which was brought forward in the Senate last year, that the County Court Judges were acting as Indian Commissioners, as Gold Commissioners, and as Police Magistrates. As I said before, they have absolutely refused to attend to any of these duties with the exception of that of Gold Commissioner, which was thrust upon them against their will by the Local Govern-

ment, who made the duties of the Gold Commissioners part of those of the Judges of the County Court. I think, Sir, the House will see that this measure will greatly reduce the expenditure of the Province in maintaining prisoners, paying the expenses of the witnesses, constables, etc. I objected to the Bill last Session because no provision was made, stating the particular localities in which these new Judges should reside, but an additional law having been passed by the Legislature of British Columbia defining those localities, I think that it will be a benefit, not only to the Dominion at large, but also to British Columbia, if we accede to the request of the people of that Province, and provide the salaries which are requisite for the payment of the proposed new Judges.

MR. BLAKE: The hon. member for Bothwell (Mr. Mills) has asked for information from the hon. the Minister of Justice. I am aware that arrangements were made some years ago for obtaining returns of the cases tried, and the amounts involved in the British Columbia circuits. I suppose the hon. gentleman will have no objection to bring these returns down before the second stage of the measure, so that we may see what work is done by these Judges. I have reason to believe our position will be strengthened by these papers.

MR. McDONALD (Pictou): We shall be very glad to bring down the information the hon. gentleman desires.

MR. DECOSMOS: Whenever this question has come up before this House—the making provision for improving the judicial machinery of our Province—some members have taken occasion to question the propriety of it. This has usually proceeded from certain hon. gentlemen on the opposite side of the House. It might be well, I take it, if certain hon. gentlemen who are not acquainted with the judicial system of British Columbia, would devote a few moments to the matter in order that they might understand the judicial system of our Province. In the first place, before the creation of the colony of Vancouver Island, Civil and Criminal cases were to be tried before the Courts of Upper Canada, under certain Acts passed in the reigns of George the Third and George the Fourth. When Vancouver Island was created a Colony, an Imperial Act was passed, making provision for the

administration of justice within it. Subsequently, an Order in Council was passed, creating a Supreme Court of Civil Justice in Vancouver Island; and in connection with that Order a Court of Inferior Jurisdiction was established, which in some degree was like the County Court systems of England. That system continued from the year 1849, the date of the organisation of the Colony, down to 1866. The present Chief Justice of Trinidad was at one time Chief Justice of Vancouver Island, and also administered in all cases in the Court of Inferior Jurisdiction. On the mainland of the Province, however, in 1858, another Colony, known as British Columbia, was created; and in that other Colony a Supreme Court with Civil and Criminal jurisdiction was established. Later the County Court system of England was adopted with such modifications as were necessary to make it adaptable to the circumstances of the new Province. The Supreme Court of British Columbia on the mainland existed for a long time afterwards. In 1866, Vancouver Island and British Columbia were united into one Colony bearing the name of the latter. After the Union, the Supreme Courts of the united Colonies were merged into one. The County Courts through the country have continued from the time they were started down to the present moment. The necessity of changing the existing judicial machinery did not grow, as the hon. member for West Durham (Mr. Blake) intimated, out of the desire to provide judgeships for two lawyers in the Legislative Assembly. At the time the Act for the better Administration of Justice was passed, only one lawyer held a seat in the Assembly, and he is the only one now in that body. Hence the statement of the hon. member for West Durham that there were two lawyers in the Provincial House is a mistake. I believe also, in relation to one gentleman in the Local Assembly, that he has no wish ever to sit upon the Bench in British Columbia. That sets at rest for once, and I hope for ever and all time, the statements made by the hon. member for West Durham (Mr. Blake). The real object of the members of the Law Society in British Columbia, in asking for a change in the judicial machinery was this: they wished to see new machinery established in order that litigants before the Courts through

the Province would have justice done them promptly, cheaply, and in accordance with the law. It is their belief, and I speak from personal knowledge and personal intercourse with them, that the judicial system in British Columbia does not secure justice to the people in Civil cases. And as far as Criminal cases are concerned, they maintain that there is great delay in the administration of justice. But there is no wish that the Provincial Government should impose undue burdens on the Dominion Government. The hon. member for West Durham (Mr. Blake) has said that one body may impose burdens that another has to pay; in other words, that no Province should change the constitution of its Courts, and entail increased expense on the Dominion. There is another side to this question, and it is this: The Dominion, by refusing reciprocal legislation, may entail heavy and inordinate expense on a Province, with the loss of prompt and equal justice. Now, I ask whether the Dominion Government—if it refused to agree to the Act which is here proposed as a corollary to the Better Administration of Justice Act of Columbia, and as a remedy for the evil of prisoners lying a twelve-month in jail—would not, by that means, be imposing additional expense on the Province? I will cite a singular instance in illustration of my argument. In Cariboo, a year or so ago, there were four prisoners charged with felony, and after remaining, so I am informed, in jail twelve months, three of them were acquitted as innocent men. Whereas, if a Supreme Court Judge had been located there, no such evil could have occurred. Another remarkable instance of the evils of our present judicial system arose recently. Unfortunately, late last autumn, a number of young men in the southern section of British Columbia committed several murders. Now, what had the Provincial Government to do in this matter? It had to send a posse to capture these men; and, as there was no Judge of Assize within 350 miles of the place where these men were captured, these five or six young men had to be conducted by a posse of guards all the way down to New Westminster, which is about 250 miles from the scene of the murders. When you take into consideration that, in the trials of these young men, the witnesses have to be brought 250 miles

also, there will be a large additional expense. When the whole expense attendant upon the capture, the pay of the guards, the cost of transportation, the expenses of witnesses, and charges at the trial shall have been settled, then, in all probability, Columbia will have to pay about \$7,000 for the expenses of this single case alone. Had the proposed judicial machinery been in existence, there would have been a Judge at Kamloops, and the expenses of carrying these men to New Westminster, and the other heavy expenses connected with the trial would not have been rendered necessary. They would have been carried to the jail at Kamloops and speedy justice would have been done. One of the sources of expense in British Columbia, in connection with criminal justice, is the Indian population. One year, I recollect the expenses amounted to some \$70,000. The hon. member for West Durham (Mr. Blake) has said that the expenses of the administration of justice in Columbia were, relatively, enormous in proportion to the population, as compared with the other Provinces. The hon. member for West Durham is always clamouring about the small population of Columbia. Allow me to state to this House that, if Ontario, with its admitted population of two millions, paid the same rate per capita as the Province of British Columbia does, the Dominion Treasury would receive from Ontario \$40,000,000 a year. I ask, therefore, whether such language as that used by the hon. member can be regarded as becoming in him or as reflecting honour on this country? But to return to our judicial machinery. We require judicial machinery adapted to the great extent of the Province. A few years ago, I employed an engineer to estimate its area in square miles, and he made the Province contain 357,000 square miles. Victoria is situated a little south of the 49th parallel. On the 59th parallel, we have a settlement composed of miners and traders and some County Court machinery, and that is 10 degrees, or about 700 miles nearly, north of Victoria, without considering the sinuosities of the route that makes the travelled route about 1,100 miles. We have a mining settlement there that is paying a very considerable sum directly or indirectly into the Treasury of this Dominion.

Now, is it a supposable case that two or three Justices living in Victoria can attend to the Civil and Criminal duties of such a remote portion of the Province as that? It would be something like Judges located at Sarnia, discharging their ordinary civil and criminal duties at Cape Breton, without such rapid facilities of transportation. And this has to be done where there is no railway by which they can approach that settlement. Take again the case of Cariboo: There is no railway connecting Cariboo with Victoria, from which it is distant some 600 miles. Is it to be supposed that a Judge in Victoria could attend to the legal business in Cariboo? or that annual circuits is all that is required? Then there is Kootenay at the extreme south-eastern boundary, 600 miles away in another direction. We might just as well take the Judges from Ottawa here to hold Court at Fort William, as to require them to go from Victoria to that remote settlement. We now come to the question of expense. I am one of those who believe that expense ought not to be regarded as the chief point. I believe that the securing of the proper administration of justice in the Province is the main point. I state frankly that I believe that it will cost more to pay for the new machinery than it does for that now existing. The increased cost, however, will not in my judgment exceed a few thousand dollars, if the Government employ the five Stipendiary Magistrates, who act as County Court Judges, in other branches of public services. I can scarcely imagine how the Government overlooked, in the appointment last year of a gentleman to the North-West as Indian Commissioner, the pressing necessity of providing employment for Stipendiary Magistrates so as to make pensions unnecessary. The Government knew that a change must shortly take place in the Province, and here was an appointment that might have been filled by one of the Magistrates who had had a large experience in governing Indians. Mr. O'Reilly, one of the Stipendiary Magistrates, has been 20 years in the public service of the country and his large experience in the administration of the law renders him a more suitable person to send to the North-West to discharge the duties of that office than a member

of this House. In that case, a pension might have been saved. Then, there is Mr. Ball, another Stipendiary Magistrate who would have been a suitable person to fill the office to which Mr. Trutch has been appointed, so far as it may be connected with Dominion lands in Columbia. If such were done, another pension might be saved. There are three others who might be provided for in connection with the Indian Department of the Province or elsewhere. If such were the policy of the Government, the increased expense of the proposed machinery would be very small. The hon. member for Gloucester alluded to the Judges doing police duty. I believe, however, the hon. member for Cariboo (Mr. Thompson) has satisfied the hon. gentleman's qualms of conscience on that point. I have only to state that the prevailing feeling, I believe, in the Province is largely in favour of the proposed change in the judicial system. There may be those who honestly entertain a different view, but the prevailing feeling in the Province is that we must have a change. I trust there will be no failure in connection with this measure when it is sent to the Upper House. The hon. member for West Durham (Mr. Blake) laid great stress on the speeches of three hon. gentlemen in the Upper House. Now, with respect to one of those gentlemen, it is alleged that he preferred a County Court judgeship to his seat in the Senate, and that that may have influenced, in some measure, his opposition to the Bill last Session. From the high character of that hon. gentleman, one might conclude that his opposition to the Bill last Session may be attributable to his unbiassed belief that a change in our judicial machinery was undesirable. Another hon. gentleman in that body may have, from a personal feeling in favour of the present Justices, opposed the Bill. Of the third Senator, it is unnecessary now to enquire why he opposed the measure. I hope that this House will see that the Bill is pushed through, and that the Government will see that competent lawyers are sent to the Province of Columbia, or, what I would prefer, that some of our own Bar be taken to fill the two seats on the Supreme Court Bench. But, if otherwise, let them be lawyers of the highest legal training.

MR. DECOSMOS.

MR. BUNSTER: This is one of the most important measures, in so far as British Columbia is concerned, that has come before this House, always excepting that for the construction of the Pacific Railway; and I will try to disabuse the impression with regard to it tried to be made on this House by the hon. member for West Durham (Mr. Blake). The cause of the hon. gentleman's opposition to the Bill is as plain to me as A B C. When he looks at the Treasury Benches, and sees who now sit there, he knows very well that he has no chance himself to be one of the new Judges—hence his disgust and opposition. Do you suppose that we would have him as one of our Judges? No, Mr. Chairman; and I hope that the Government of the day will never cause British Columbia to suffer under such an infliction. We do not want men of his calibre. Under the new system there are to be two additional Judges at a small salary of \$4,000 each; and, if we take into consideration the saving of expense on the existing system we shall find that the actual facts and figures will show a saving of \$2,245 in favour of the proposed change. These facts and figures cannot be disputed. And then take into consideration the injustice done to our citizens for want of a proper Judiciary, particularly at Nanaimo and in remote districts. Not many years ago a riot was reported to have taken place in one of the mining districts, but it appears that no riot had taken place at all, the miners had made no threats, nor had they assumed a riotous character; however the incapable Magistrate—a Mr. Spalding—actually wrote a demand for a man-of-war to come to his assistance. The miners who were said to have been rioting never disobeyed the officers of the law, but one of them that had a sick child in the house asked for further time, so as not to take his child and the mother out into the streets, which was refused, and they were dragged down like slaves to Victoria, and, if they had not had respectable men to bail them out, they would have been consigned to a dungeon. Do you call that human? Is that justice? I think not. The sooner we have a change the better; we have wanted a change for years, and at last the Government has given us a hearing, notwithstanding the opposition of the hon.

member for West Durham. The hon. member for Gloucester (Mr. Anglin) spoke of British Columbia in an abusive way.

AN HON. MEMBER: No, no.

MR. BUNSTER: I have so got it down in my notes. He said very distinctly that we were in the habit of using strong language. I claim that, notwithstanding constant annoyance and irritation, the people of British Columbia do not use abusive language—they have been very mild.

MR. ANGLIN: The hon. gentleman has misunderstood me entirely. In enumerating the offences coming under the jurisdiction of the Police Magistrate, I spoke of abusive language, and I added "if abusive language is criminal in British Columbia." I did not say that anyone from British Columbia was abusive in this House or anywhere else.

MR. BUNSTER: Oh, well, that is a different thing. I wish I could only find language to put this case properly; but, as I feel it will be done best by the present Government, I leave it in their hands. It has been said that gentlemen in our Local Legislature are anxious to be made Judges. All I can say is that the gentlemen connected with our Local Legislature have all been highly honourable men. I may say that, if our citizens had not been peaceable, the ignorance of our Judges might have caused bloodshed. There is therefore all the more reason for a change. The hon. the Minister of Justice, however, has taken hold of this matter in the right spirit, and I shall be perfectly satisfied with the result.

MR. BOULTBEE: I rise with some little reluctance; but I think that the remarks of the hon. member for Vancouver (Mr. Bunster) should scarcely have a place in this House, unless we consider that he comes from that far-off land in the west, where thoughts break out in language more plain than polite. I think that the hon. gentleman should scarcely have attributed the opposition and remarks of the hon. member for West Durham (Mr. Blake) to disappointed ambition, and I scarcely think that the remarks of the hon. member for Vancouver were founded on truth, for I believe that, if the hon. member for West Durham were desirous of being appointed, the present Government would appoint

him. Although the Government would be sorry to lose the benefit of his legal knowledge and general ability here, yet it is possible that he might have the appointment, if he wishes to be appointed a Judge in British Columbia, and, I might say, to less able men it might be an object to be made a Judge in that land. Perhaps it would be an object of ambition to many a member of the Bar to be made a Judge in British Columbia, especially when their enlarged views as to mileage in that Province are considered. I may say that, perhaps, in considering the position of British Columbia, members of the Opposition have treated the question too much in a pecuniary light. If British Columbia is to be a respectable and important part of the Confederation, there is nothing more important than to provide her with an efficient Judiciary. British Columbia, though small in population, is an important portion of this Confederation, and it is not well, when her interests come up for discussion in this House, that we should deprecate the amount of money to be spent on her, because her population is small. We cannot expect to see her population increase and become more intelligent, wealthy and great, and thus more and more influential as a part of this Confederation, unless we afford them proper means for the due execution of the laws.

1. *Resolved*, That whereas, by an Act passed by the Legislative Assembly of the Province of British Columbia, in the year 1878, and known as the Better Administration of Justice Act, 1878, provision is made for the appointment of two Judges of the Supreme Court of British Columbia in addition to the number of Judges 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 each of the said two additional Judges of the Supreme Court of British Columbia shall be \$4,000, payable out of any moneys forming part of the Consolidated Revenue Fund of Canada.—(Mr. McDonald, Pictou.)

Resolutions ordered to be reported.

House resumed.

(In the House.)

Resolutions reported.

RELIEF OF THE DISTRESS IN IRELAND.

VOTE OF CREDIT.

House resolved itself into Committee, to take into consideration the gracious Message of His

**Excellency the Governor-General on the subject of the relief of the distress in Ireland.**

(In the Committee.)

**SIR JOHN A. MACDONALD:** After the discussion which took place on the Address, I do not think it necessary to occupy the Committee with many remarks. We all know, and we are sorry to know, that our fellow-countrymen in Ireland are suffering great distress, and, in the language of His Excellency, we ought to show our sympathy with them on account of that distress, by contributing towards its relief. In submitting this matter to Parliament, and this Committee, the Government had to consider in the first place the sum which ought to be contributed, and, after due consideration, \$100,000, it was thought, would be a substantial evidence of our sympathy and at the same time not unduly press upon our own people or in any way obstruct or diminish the private charity which is happily going on throughout the Dominion. If we gave a much larger sum, the charity of private persons might be stopped, for they might very reasonably say that the Government of the Dominion had given sufficient without anything being necessary from themselves. I move—and I would ask the hon. member for Lambton to second the motion—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.

**MR. MACKENZIE:** Before seconding the resolution, I desire to ask the hon. gentleman in what way the money is to be applied?

**SIR JOHN A. MACDONALD:** I would state that the intention of the Government is to do as we did with regard to our contribution in 1854, to relieve the wounded in the Crimean War: that is, to transmit the money to the hon. the Secretary of State for the Colonies, to be applied by Her Majesty's Imperial Government for the purpose for which it was voted.

**MR. ANGLIN:** I was led, by the language of the Speech, to expect that a larger amount than this would have been voted for the relief of Ireland by this Parliament. We are asked to give, not out of our poverty, but out of our abundance, for the relief of people, hundreds of

thousands of whom have, for many weeks, been on the very verge of starvation, and who are to-day suffering from the want of food. It was to be the gift of a great nation, stretching from the Atlantic to the Pacific, to another nation forming part of the same Empire, whose people are the kith and kin of a large number of the people of this Dominion, and for whom we feel all the sympathy we possibly could feel for a kindred suffering people. I had hoped that the amount mentioned by the hon. member for Leeds (Mr. Jones) of £50,000 sterling—would possibly have been the amount proposed by the Government—an amount not too great for this Dominion to subscribe, and not too large for such a purpose; scarcely commensurate, indeed, with the extent of the distress which it is intended to relieve. The amount now proposed is handsome enough in itself but it is small for so great a country, being only two and a half cents per head of the population of Canada. I did not rise to complain of the amount; it would be ungracious to complain of it. As one who, though a Canadian, still regards himself as an Irishman, it would be ungrateful to complain of any gift that is graciously offered, under the circumstances, to the sufferers in Ireland. It is a handsome gift and it is intended to be, no doubt, a generous gift. But more even for the sake of Canada itself, than for the sake of the suffering in Ireland, I regret the amount is not larger. I would like it to be an amount of which I could boast, and to which I could point as an evidence not of the mere kindly feeling, but of generosity and noble munificence of the people of Canada, as represented in this Parliament. With regard to the proposed mode of disposing of this amount, perhaps it is scarcely to be objected to. The Government perhaps think that the only course open to them is to send the amount to Her Majesty's Secretary of State. 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

**SIR JOHN A. MACDONALD.**

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-by 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. Misunderstanding 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 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 widespread 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 without 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. As an Irishman, I return my thanks, on behalf of my suffering fellow countrymen, to the gentlemen of other nationalities in this House, for their generosity and kind feeling. If the First Minister had proposed a larger amount, I am sure there would have been no objection, and I believe he would have given more satisfaction to the great majority of the members of this House, and the great majority of the people of this country, but for what is now proposed, I again offer my heart-felt thanks, and the thanks of all my fellow-countrymen.

Mr. WRIGHT: I think many members of this House will join in the expressions of regret of the hon. member for Gloucester (Mr. Anglin), that the Government did not see its way clear to give a larger sum in aid of our suffering friends in Ireland; but one must remember that we have a great many poor in our own midst, and that in Canada generally, and in the larger cities especially, there is a considerable amount of suffering. I think, under the circumstances, the Government have done a wise, graceful, and generous act, which will be fully appreciated by the Irish, and, indeed, by all people throughout the length and breadth of Canada. England's great dramatist tells us that "One touch of nature makes the whole world kin," and the fact of there being starving people anywhere would induce the Canadian people to do their best to relieve that suffering. But, when it comes to the sufferings of a kindly and generous race like the Irish, I think under the circumstances we should do the very best we can to relieve them. I think the hon. the Premier expressed the feeling generally that perhaps the granting of a large sum would prevent private contribution. It possibly might have that result, but I trust that, aside from this gift, the people of Canada will manifest those generous instincts which have distinguished them in the past.

*Resolved*, That there be granted to Her Majesty the sum of One hundred thousand dollars, 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.—(Sir John A. Macdonald.)



Resolution ordered to be reported.  
House resumed.

(In the House.)

Resolution reported, read the second time, and agreed to.

Resolved, That a humble Address be presented to His Excellency the Governor-General, to thank His Excellency for his gracious Message of the 17th instant, recommending to the consideration of this House the propriety of granting \$100,000 for the relief of the present great distress in Ireland, and to inform His Excellency that this House has passed a Resolution, granting to Her Majesty the sum of \$100,000 for such purpose; and further to pray His Excellency to cause the issue of the sum so granted from the Consolidated Revenue Fund, and to assure His Excellency that this House will make good the same.—(Sir John A. Macdonald.)

MR. BLAKE: 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.

SIR JOHN A. MACDONALD: 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. The Government had thought of the suggestion of the hon. member for Gloucester, that we should indicate the fund.

MR. BLAKE.

We think it is better that we should not indicate the fund. There are several funds, and there are some jealousies, and we have no means of judging as to the justice or injustice of those jealousies, but we are quite satisfied Her Majesty will apply this money as requested, to carry out the expressed wish of the Parliament of Canada, that the money be applied for the immediate relief of the poor in Ireland. It is the intention of the Government to ask the Upper House to join in this matter.

Address read the second time and agreed to. (To be presented by Privy Counsellors.)

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

## After Recess.

### THE CENSUS.

#### QUESTION.

MR. FARROW enquired, Whether it is the intention of the Government to take the Census this year; if so, at what time of the year.

SIR SAMUEL L. TILLEY: The provision of the Act is that a Census shall be taken in 1881; it will not, therefore, be taken this year.

### HARBOUR OF REFUGE, TWO CREEKS, KENT, ONT.

#### MOTION FOR RETURN.

MR. STEPHENSON moved for an Order of the House for a return of copies of all official reports and plans of surveys made under the authority of the Canadian Government, relating to the improvement of the outlet of Two Creeks, in the county of Kent, Ont., and the construction of a harbour of refuge for vessels at that point. He said: A number of years ago, a project was started for the purpose of constructing a ship canal across the peninsula, from Lake St. Clair to some point on Lake Erie, at or near the mouth of what is known as Two Creeks, near the boundary line between the counties of Kent and Essex. This project has now been revived, but on a smaller scale. It is contemplated by the present plan to construct a ship canal from the waters of Lake St. Clair, commencing at or near the mouth of the River Thames, and continuing across the townships of Tilbury East and Romney, to Lake Erie, to the locality already mentioned. The plans of the old surveys

made of Two Creeks Harbour, being in the possession of the Government, it is deemed requisite, in the interests of the promoters of this new project, that they should be produced, and I, therefore, move for these reports, plans and notes, of all Government surveys made, and now in the Government's possession.

Motion agreed to.

PRINCE EDWARD ISLAND—CLAIM ON FISHERY AWARD.

MR. BRECKEN moved for an Address to His Excellency the Governor-General, for copies of all papers and correspondence between the Government of Prince Edward Island and the Dominion Government, from the 24th of March, 1879, to the present date, relative to the claims of Prince Edward Island to a portion of the Fishery Award. He said: I am aware that a delegation from the Government of Prince Edward Island waited upon the Dominion Cabinet, during Recess, on the subject of the Fishery Award. I wish, at the commencement, to draw the attention of the House to the position that Prince Edward Island occupies, in relation to this very important question. To give this House some idea of the value of the fisheries around the coast of the Province that I come from, I may state that the evidence taken before the Commission at Halifax proved, and it was admitted by Mr. Foster, the United States Agent, and one of the leading counsel before that Commission, and I here quote his very words, "that the three mile limit of the bend of Prince Edward Island, and down by Margeree were the two points to which almost all the evidence of inshore fishing in this case related." The mackerel constitute sixty per cent. of the whole catch taken by the United States fishermen in British waters; their great value must have contributed considerably in arriving at the amount of the award in favour of Great Britain. I believe that from two-thirds to three-fourths of the mackerel caught by American fishermen were taken around the coast of Prince Edward Island. I may further state that the two principal sources of wealth now left to us are agriculture and fisheries. The Treaty of Washington was signed in May, 1871. On the same day, Mr. Fish, Secretary of State for the United States, addressed to the British Minister at

Washington a despatch in which, by direction of the President, he proposed "that as the Treaty could not come into effect until after the legislation contemplated for its ratification should have taken place, it seemed to him (Mr. Fish) to be in accordance with the interests of the Government of Great Britain and the United States, and in the furtherance of the object and spirit of the Treaty, that the citizens of the United States should have the enjoyment of the Treaty to fish within the three mile limit." Earl Kimberley, in his despatch of 17th June, 1871, to the Lieutenant-Governor of Prince Edward Island, strongly urges upon the Government of that Province that, for reasons stated in his despatch of the same date to Lord Lisgar, the application made by Mr. Secretary Fish should be acceded to by Prince Edward Island. The people of that Province have always looked upon the fisheries as of very great value; they then believed that the principal market for their agricultural produce and fish was to be found in the United States. The advantage of the American market was sensibly felt and appreciated during the continuance of the Reciprocity Treaty. The fisheries of the Island are, perhaps, for their extent, the most productive and valuable in America, and are very much frequented by American fishermen. We have always looked upon those fisheries as of such value in the eyes of the Americans that they would, in case of negotiations, have gone far to bring about another Reciprocity Treaty, or, at any rate, such trade concessions as would admit the produce of our farmers and fishermen, duty free, into the United States markets. The inhabitants of our Island were very unwilling to yield up such a rich mine of wealth without receiving a just and substantial equivalent therefor. But the Government of the Island, while feeling that a commercial arrangement with the United States would have been more acceptable than a money compensation, and finding that the British Commissioners at Washington failed to induce the American Government to change its policy, the people of the Island being loyal and much attached to the institutions of their Mother Country, in deference to the strongly expressed wish of Her Majesty's Government, recom-

mended that the application made through Mr. Secretary Fish should be granted, so that American fishermen might be allowed, during the year 1871, the provisional use of the privileges they would be entitled to enjoy after the ratification of the Treaty. Our people were glad that the prospect of an amicable settlement of the disputes, which then unhappily existed between England and the United States, should be arrived at. They yielded, as I have already said, to the request of Earl Kimberley, Secretary of State for the Colonies, and expressed their willingness to accept any reasonable money compensation in addition to the privileges secured by Treaty, but at the same time stated that nothing of the kind had been guaranteed to them. The Customs officers of the Island were, in July, 1871, instructed to discontinue, for the season of that year, and until further orders, the observance of the Fishery Laws affecting American fishermen. Subsequently, the Treaty of Washington, so far as it affected the Island, were ratified by Act 35 and 36 Victoria Cap. 3, passed in June, 1872, which provided for the admission of fish and fish oil, the produce of the fisheries of the United States, duty free, into Prince Edward Island. From that date the Americans have secured the right to fish within the three-mile limit for the term of the Treaty. In making the concession asked for by Mr. Fish the Colonists, who were engaged in fishing and were exporters to the United States, sustained a loss. Since the abrogation of the Reciprocity Treaty, the duty on Colonial caught mackerel was \$2 per barrel. I may here state that the mackerel fishery is the only one that Americans take an interest in around our coast. When Mr. Fish asked for Americans to be allowed to fish within the three-mile limit between the signing and ratification of the Treaty, the American Government promised to recommend to Congress that the duty on fish and fish oil should be remitted from July, 1871. After the concession asked for had been made, and the Americans had received the very profitable advantage of fishing in common with our fishermen within the three-mile limit, and when the refusal of the duty promised was asked for, the President of the United States declined to recommend to Congress to make such refund, stating that the pro-

Mr. BRECKEN.

posal made through Mr. Fish contemplated the united action of all the British Colonies, and that it would not be practicable to separate them, or carry into effect for one what the President was willing to recommend for all the Colonies. This refund of duties has never been made, although the American fishermen have reaped the profit from their side of the bargain. Prince Edward Island entered Confederation in 1873. Had the Commission which sat at Halifax been appointed and organised within a reasonable time, we would have occupied the same position as the Colony of Newfoundland, and would have been entitled to receive our share of the award, upon the same basis as a million of dollars have been apportioned to that Province. When we yielded to the request of Earl Kimberley, we entertained the reasonable expectation that we would have been dealt with, as Newfoundland has been, and I submit most strongly that the accidental delay, which postponed the Fishery Commission at Halifax, to the year 1878, ought not to prejudice the claims of Prince Edward Island, so evidently based upon the principles of justice. Had that award been made before we entered Confederation, no one would deny our right to be considered in the same way as Newfoundland has been. I believe that the right hon. the leader of the Government has a warm side for Prince Edward Island, and that he will not overlook our claim on account of a technical objection, that, since we have entered Confederation, the fisheries have been a Dominion right. They are practically and substantially a territorial and Provincial interest. What, I would ask, has the prosperous and wealthy Province of Ontario, the great North-West Territories, about whose illimitable and undefined boundaries, we have heard so much these last few days, what have they in common with the fisheries of the Maritime Provinces? The destruction of the fishing industry in no way affects them, and here, I may state, that the extravagantly destructive manner by which American fishermen follow that occupation in British waters, through the use of nets and seines, has very much injured and depressed fishing as an occupation in the Maritime Provinces, and is fast render-

ing it a profitless occupation for our own fishermen. I have said that we have a strong equitable claim for a share of the Fishery Award, and one strong point I urge is that, we are an island during five winter months, we are cut off from all trade communications with our more-favoured Provinces of the mainland, and completely deprived of participating in the advantages of those great and costly works, such as railways, locks and canals, which are so necessary for developing the resources of this Dominion of ours. We Islanders do not allude to this subject in a narrow or sectional feeling. We believe the great outlay for these costly works is absolutely necessary, and we cherish the hope, in common with other parts of the Dominion, that they will tend to build up this country. At the same time the Government must not forget that, while we bear our share of the cost, we directly receive no equivalent. And even, during the summer months, when communication is open, the advantages to us, forming as we do part of the selvaie, are very imperceptibly felt. On that ground, I strongly urge upon the Cabinet led by my right hon. friend that we have strong claims to have the application that I now make favourable entertained. There is one other subject to which I wish to allude; last Session a new trade policy was inaugurated, known as the National Policy. I have been a supporter of that policy, and have, as yet, seen no reason to change my opinion. I believe it was necessary to build up the industries of the country generally, and that already good results are beginning to show themselves. In my humble opinion, it will be well that this policy should have a fair trial, and, under the control of our able Finance Minister, we have reasonable grounds for expecting a revival of trade and employment of the people. But, while this is all true with respect to the mainland and those portions of the Dominion that possess facilities for establishing manufactories, the National Policy does not directly benefit the little Province that sends me here. We have neither mines, nor minerals, nor a surplus population, and, while well off and independent, no great accumulation of capital, nor any inducements to warrant the people to engage extensively in manufactures. In making this application, I hope it will

not merely result in bringing down the correspondence between the Dominion Government and the Government of Prince Edward Island, but that the Government will give this matter their serious consideration, and make some substantial recompense to the Island of Prince Edward for the serious injury which her fishing interests have sustained by allowing foreigners to compete with them in what has hitherto been a valuable and paying business.

Mr. HACKETT: The motion before the House is not altogether a new one; a similar motion having a similar object in view was discussed here during the last Session, and such motions will be introduced and discussed until Prince Edward Island receives justice in this matter, or at all events until a definite answer is given. When it became known that the Imperial Government had paid over to the Government of Canada the amount of the award under the Washington Treaty, the people of Prince Edward Island presented their claims to a portion of this award. They did so believing they had a just claim, from the fact that, at the time this Treaty was entered into, Prince Edward Island was an independent Colony, having no connection whatever with the Dominion of Canada. They were called upon to ratify this Treaty so far as the Island was concerned, which they did at the urgent request of the Imperial Government who were most desirous of having this Treaty concluded with the United States as it would remove serious international complications. The Government of the Island, however, only consented to ratify the Treaty on conditions and with the understanding that the Island would receive a money compensation for the privileges thus surrendered. They expressed the opinion that, in the interests of the Island, they had hoped to be able to obtain some trade concessions from the United States in return for the fishery privileges granted them, but, being an extremely loyal people, they did not want to throw any obstacles in the way of a peaceful settlement between the Mother Country and the United States, and would willingly take an equivalent in cash. It will thus be seen that the people of the Island most reluctantly abandoned what was to them a valuable privilege, and it would be

great injustice to withhold from them a portion of this money that has found its way into the coffers of Canada, in consequence of their giving up so dear a right. It is a well-known fact that this award would not be so large had not the Island been included in the provisions of the Treaty. It is admitted, by every practical man, that the inshore mackerel fisheries around the coasts of Prince Edward Island are the most valuable of our Gulf fisheries. Mr. Foster, the able American Counsel, stated before the Halifax Commissioners, when about closing the American case, that the principal advantage received by them, according to the evidence submitted, was in fishing inside the three-mile limit around the coast of Prince Edward Island. What I want to discuss now is: were these waters the property of Prince Edward Island before Confederation. On this point, I do not think there can be two opinions; it is a well-established fact that the Imperial Government recognised the right of the Colonies to the waters around their coasts. We see this in the case of Newfoundland, which Colony has been paid a large amount of this award. We also know that, previous to Confederation, the Island Government issued fishery licenses to foreign vessels coming into the Island waters to fish, and that the moneys arising from the sale of those licenses went into the Island Treasury, showing clearly that those waters were Colonial possessions. The next point is: did the Island, on going into Confederation, surrender to the Federal Government, any claims that she had to a portion of this award? I contend she did not; not one word written or implied can be produced, having reference to it. The Terms of Confederation are silent with regard to it, and there is nothing to show that the Island surrendered in anyway to the Dominion of Canada rights which she held by treaty before she became a part of the Dominion. It must be apparent, then, to every fair minded man that the Island's claim stands as good to-day as it would if she had remained out of Confederation. The fact of her entering Confederation, previous to the award being made, should not prejudice the claim. Had the Commission sat and the award been made as it should have been, before she entered the Union, her share would have been paid over without a

word. I cannot see how the mere accident of her since becoming a member of this Confederation can operate against her interests in connection with this matter. The payment of this money to Prince Edward Island at the present time, would be a great relief to her people. For some years past, the revenue of the Island from all sources has fallen much below the expenditure, and the Government have been compelled to resort to direct taxation to meet the requirements of the Province, and, as the people believe they have an equitable claim to a portion of this award, and that, like Newfoundland, they would have received a share of it, had they remained out of Confederation, and should their claim now not be recognised and paid, it will have the effect of rendering them very dissatisfied and discontented, and I should not be surprised to see them, like their compatriots in British Columbia, openly discussing secession. The people of the Island do not look for their share of this award; from any narrow or sectional standpoint, they look for it believing it to be their right on all principles of equity and fair play, and I hope that our friends from the older and larger Provinces will be honest and generous enough to give us our rights in this matter. The people of Prince Edward Island have not been benefitted by the present system of Protection to such an extent as the other Provinces of this Dominion. Our principal industries are fishing and farming; we have no manufactures worthy of the name, and it was not expected that the National Policy would do as much for us as it would for the larger Provinces, with their large populations, their extensive manufacturing industries, and their large undeveloped resources. Nevertheless, the people of the Island supported the policy, believing that it would benefit the whole Dominion, that it was required in the interests of the whole people. And now, when we find that this policy is realising our most sanguine expectations, when we see confidence restored amongst our enterprising business men, when we see Canada enjoying a season of prosperity, we trust we are not asking for anything unreasonable if we ask them to give, out of this abundance, to small Prince Edward Island, what properly and

justly belongs to her—a share of this Fishery Award.

*Motion agreed to.*

#### FREE ADMISSION OF COAL.

##### MOTION FOR STATEMENT.

MR. ROBERTSON (Shelburne) moved for an Order of the House for a detailed statement of coal admitted free into the Dominion, during the past year, for the use of steamers, steamtugs, etc., on the lakes and rivers of Ontario and Quebec; the persons to whom such privileges were granted, the ports where such entries were made, and all correspondence and Orders respecting the same.

MR. BOWELL: I observe that the hon. gentleman has added the word "free," which materially changes the motion.

MR. ROBERTSON (Shelburne): The word was in the original manuscript. The omission is the fault of the printer or clerk.

MR. BOWELL: I do not take any objection to the change, I merely wish to point out that there has been no coal admitted in the sense in which this resolution would indicate, that is, free. There has been coal admitted in a similar manner to that in which it was admitted some years ago, in bond, for the use of steamers plying from one port in the United States to another. The same concessions have been made to Canadian steamers, when plying between a Canadian and foreign port, so that they should not be under any disadvantage, as compared with American steamers.

MR. ANGLIN: I am surprised to hear that the steamers should profit by being deprived of the advantages of the National Policy.

MR. BOWELL: I am not at all surprised that the hon. gentleman is "surprised" at this. I should be very much surprised indeed if any explanation given in reference to this matter would satisfy him. The steamers have not been deprived of any of the advantages that would be derived from the National Policy. It will be shown, should a discussion grow out of this matter, that the Government has acted in the interest of the trade of the country and in accord with its policy, without injuring any one, and at the same time aiding the shipping interests of the country. The Government has no objection to bring

down the statement asked for in the motion, when it will be found that the amount of coal admitted free is nil.

MR. MACKENZIE: My hon. friend the member for Gloucester (Mr. Anglin) made a mistake in saying that these steamers were deprived of the advantages of the National Policy; it is disadvantages of the National Policy that they were deprived of, inasmuch as they got their coal free; but the hon. the Minister of Customs says it is a mistake that the coal is allowed to come in without paying duty, and that it was merely admitted in bond, until some American, and afterwards Canadian, steamers took it for the purpose of coaling. He tells the House that it was only done for American and Canadian steamers.

MR. BOWELL: I did not say only. The hon. gentleman should not put words in my mouth. I said American steamers, and afterwards it was taken advantage of by Canadian steamers.

MR. MACKENZIE: Yes, exactly what I said. The privilege was given first to American steamers, then the advantage was extended to Canadian steamers, and afterwards it was given to all who chose to apply for it.

MR. BOWELL: No.

MR. MACKENZIE: Then there was partiality shown, was there; but we will know when we get the papers down, who he favoured in his magnanimity, but we have the fact before us that a certain class of Her Majesty's subjects, who could afford to pay the duty, were allowed to get their coal in without paying duty, whilst the poor people in this country were compelled to pay the exactions of this Government, and that is called a paternal Government.

*Motion agreed to.*

#### MARITIME PROVINCES LOBSTER FISHERY.

##### MOTION FOR RETURN.

MR. ROBERTSON (Shelburne) moved for an Order of the House for a return of copies of all petitions and correspondence with the Department of Marine and Fisheries, regarding the Order in Council regulating the prosecution of the Lobster Fishery in the Maritime Provinces. He said: This subject is one of considerable

interest to a large section of the Maritime Provinces. For my own part, I am quite willing to assist the Government in any regulation they may deem necessary for the preservation of these fisheries. And whilst the Government may have been actuated by the desire to preserve the lobster fisheries, by the Order in Council passed last year, I do not believe the persons who furnished the information upon which that Order was passed were actuated by any such patriotic motives. Speaking more particularly for that section from which I come, I may say that the Order in Council hastily passed last year, was the cause of much destitution in that part of Nova Scotia. The matter is one of great importance, and I trust the Government will look upon it as such and do all in their power to remove the evil complained of.

MR. POPE (Queen's, P. E. I.): There is no objection to furnish the House, with the petitions and correspondence which have been received in reference to this matter. The hon. gentleman seems to think that this Order in Council, which was passed last year, limiting the lobster fishing to certain seasons, has been injurious. All I can say is, that if ever an Order in Council was necessary to regulate our fisheries an Order was necessary in this case. We find that those engaged in this fishery, who were most strongly opposed to the passage of this Order at the time, have since changed their minds, and have come to entertain the belief that, if the lobster were allowed to be taken all the year round, in two or three years the value of that fishery would be gone. The largest quantity of fish was caught by Americans, and, if they were allowed to fish, without being controlled they would soon deprive the fishery of any value. It is the duty of the Government to protect the Fisheries, and not allow them to be destroyed. Formerly, Orders in Council were passed, and never enforced, but we have endeavoured to have them strictly adhered to as far as lay in our power. If the Order in question is wrong, it should be amended, but, at the same time, a certain amount of protection was required, and that amount should be given. If there is any class of fishing, who have reason to complain, it is those within the Gulf, who are often prevented

from fishing all the month of April, and part of the month of May, owing to the accumulation of ice. Those outside the Gulf cannot so complain; they have four full months for fishing, every season, for lobster.

MR. ANGLIN: As a representative of a county very largely interested in the lobster fishery, I think it my duty to say, in reference to the remarks of the hon. the Minister of Marine and Fisheries, that, as far as I am aware, the regulations made from time to time with regard to the lobster fisheries have, as far as I know, been always duly enforced in that county. There may be districts in which they are not enforced, but I have never heard that, in the county I represent, the regulations were not enforced. The question is one that is surrounded with very great difficulty. I am not, for my own part, disposed to hold the Minister very strictly responsible for anything more than an honest endeavour to do what is best and right in the interests of this country. It is exceedingly necessary to determine what are the best seasons in the different waters of the Dominion. The hon. the Minister has stated that, in the Gulf of St. Lawrence, and more particularly in the Bay of Chaleurs, the ice remains until a late period. After the ice disappears, the water remains so cold that the fish do not come inshore, and the fisheries are not profitable if commenced in the early part of the season. Therefore, the persons engaged there in fishing complain that their season is unreasonably short; that it is impossible for those engaged in catching or canning the fish to realise a fair amount of profit within that period. I think an application has been made from my county, very recently, to the Minister of Marine and Fisheries, on this point, and I trust he will give the application his most serious attention. If the hon. gentleman has not always, from facts submitted to him, come to conclusions satisfactory to all, he has, I think, come to such conclusions as he believed his duty required him to draw. There has been a long conflict amongst those engaged in the fisheries as to whether there is any season which should be a close season. Of course, I would like to see those engaged in our fisheries accorded all the liberty possible, consistent with the due preservation of our fisheries; there-

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fore, I endeavour, season after season, to ascertain exactly what should be done. Some, I find, are in favour of preventing the prosecution of fishing during certain months in any but a water of a certain depth, in which they say spawning lobsters are never found. How much truth there is in that allegation I am not, from a personal acquaintance with the matter, prepared to say; but that has been urged upon me by many engaged in this fishery, and particularly those fishing in deep water themselves. It is very necessary, perhaps, and very desirable, that there should be a long close season, so that the lobster fishing may not be destroyed in a few years. Nevertheless, it is also of very great importance, that the very large number of people engaged in that industry should not be prevented unnecessarily from pursuing their occupation as long as possible. I hope the hon. the Minister of Marine and Fisheries, will continue to devote his attention to this subject—gathering all the information possible—and that he will deal as leniently and considerably as possible, with those engaged in this branch of the fisheries, which of late years has become of such very great importance.

Motion agreed to.

#### COAL OIL TESTS.

##### MOTION FOR REPORTS.

MR. CASEY moved for an Order of the House for copies of all reports made by Government Analysts as to the examination made by them of any samples of Canadian coal oil submitted to them; also, of all report by officers of the Customs, as to the fire-test to which coal oils have been subjected when entered at the Canadian Customs, and how high a test such oils have been found to bear. He said: It is notorious that explosive Canadian coal oil is used which will flush to 90° or less, though the law requires it to bear a fire-test of 105. I wish to find out how such inferior oil can have evaded the Government officers and be allowed to be sold.

MR. BABY: I would suggest that the words "Officers of Excise" should be substituted in the motion for "Government Analysts."

MR. CASEY: I understood that samples of coal oil had been submitted to

Government Analysts, and been found defective; and I was under the impression that these Analysts were required to report to the Government the result of their examination.

MR. BABY: No, they are not.

MR. CASEY: Very well, then, I will substitute "Revenue Officers" for "Government Analysts." As to the second part of the motion relating to American coal oils, the hon. member for Stanstead (Mr. Colby) has a Bill on the Notice Paper with regard to the admission of American coal oil, and it is for use in the debate on that Bill that this information is required. I would like to know, therefore, if the information can be quickly obtained.

MR. BABY: The Department will furnish the House with the information with the greatest possible speed, but we have to send for it to Halifax and other distant ports.

MR. CASEY: But you will send it down as fast as returns come in without waiting for all?

MR. BABY: Yes.

Motion agreed to.

#### PORT STANLEY HARBOUR TOLLS.

##### MOTION FOR RETURNS.

MR. CASEY moved for an Order of the House for copies of all Returns made by the Great Western Railway Company of tolls and other receipts from Port Stanley Harbour, showing on what class of imports the tolls have been collected, and the expenditure made by the said Railway Company in connection with the said harbour. He said: This Railway Company is, so to speak, the trustee of the harbour receiving the tolls under a lease, and bound to expend them on the maintenance of the harbour. The returns asked are those which the Company is bound to make annually to the Government. It is the feeling of my constituents that a reduction should be made in the tolls, especially in those charged on coal. Coal is imported by way of Sarnia, with London, for instance—about 24 miles from Port Stanley—for the reason that tolls are not charged at that port (Sarnia), and it is considered that a discrimination of that sort is unfair, and that some modification should be made in the tolls charged at Port Stanley



—the deficiency in revenue being made up by this Government.

MR. LANGEVIN : I am not aware of any complaint having been made. There is, however, no objection to this motion.

*Motion agreed to.*

#### FINANCIAL RETURNS.

##### MOTION FOR STANDING ORDER.

MR. MACKENZIE, moved :

“That it be a Standing Order of this House that immediately on the commencement of any Session there be laid upon the Table of the House (unless previously printed in the *Canada Gazette*, Returns in detail showing :

“1st. The receipts and expenditure of the Dominion of Canada from the commencement of the fiscal year to the first day of January in each year, or in case the said House should meet before the first day of January in any year, then to such other convenient date, not being more than six weeks previous to the opening of the said House, as may be found convenient.

“2nd. A return, in detail, showing the several rates of duty paid thereon, and in the case of free goods, the several classes of goods, of all articles exported and imported into the Dominion of Canada during the same period, with the same proviso.

“3rd. The same, by Provinces, showing also the countries whence and to which the said exports and imports were received or exported.”

MR. BOWELL : The hon. leader the of the Opposition cannot surely have reflected upon the effect of this motion. To the first portion of the motion there can be no objection, except as to making it a Standing Order. The returns of receipts and expenditure can easily be brought down, but to bring down a detailed statement of the imports and exports of the Dominion, as well as for the Provinces, would be utterly impossible in the time required by the motion.

SIR SAMUEL L. TILLEY : If I remember aright, the hon. the leader of the Opposition, when he was at the head of the late Administration, brought down a proposition to make a retrograde movement in the returns. He proposed that the Public Accounts should be made, and the fiscal year commenced, on the 1st of March; or the 1st of April, I think, instead of the 1st of July or the end of June, and it is a little extraordinary that he should now seek to require the returns so far ahead in a particular branch of the Government. I think I am not mistaken in reference to the proposition which the hon. gentlemen made as to the Public Accounts; and I believe that the measure

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he proposed on that occasion passed this House, and would now have been a fixed regulation if the Senate had not rejected it.

MR. MACKENZIE : Well, I think I will see if the motion can be altered; I will see what shape it can be put in by Monday.

SIR JOHN A. MACDONALD : Yes, I think that would be as well. It is a very serious thing to change the Standing Orders.

MR. MACKENZIE : I admit that.

SIR SAMUEL L. TILLEY : It is scarcely necessary to make it one of the Standing Orders, because in two or three days I hope to lay upon the Table of the House, the returns for the last six months, from the 1st July to the 1st January, that were asked for a few days ago. There can be no difficulty in that respect; but the difficulty is in respect to the trade returns; it is, I repeat, scarcely necessary to make it one of the Standing Orders, because no delay can take place beyond two or three days.

MR. MILLS : That would be a reason for making it a Standing Order, because the motion is made every Session. Information of this nature is always required from whatever Government may be in power, and it would save the necessity of making this motion if it were made a Standing Order.

SIR JOHN A. MACDONALD : Of course if this resolution is regularly made and granted, it may as well be a Standing Order. But I understand this motion calls for particulars that will make a large volume of 950 pages.

MR. MACKENZIE : The only difficulty in making it a Standing Order is that, perhaps, it will almost necessarily affect, not only the Rules and Government of this House, but the general business of the country. There may be something in that. I would much rather the matter should stand over as a notice.

MR. ANGLIN moved the adjournment of the debate.

*Motion agreed to and Debate adjourned.*

#### INTERCOLONIAL RAILWAY—DISMISSALS AND APPOINTMENTS.

##### MOTION FOR RETURN.

MR. ANGLIN moved for an Order of the House for a return giving the names

of the men who were employed in any capacity on the Intercolonial Railroad, or in connection therewith, on the 1st day of October, 1878, and who were subsequently dismissed; also, the names of any of the men so dismissed, who were subsequently employed, and the date of employment; also, the occupations in which the men were engaged at the time of their discharge; also, the names of all not previously employed, who were employed in any capacity on the Intercolonial Railroad, or in connection therewith, after the 1st of October, 1878, and before February 1st, 1880; the date of the appointment of each, and the salary or rate of wages paid to each of the persons so employed. He said: I desire to be perfectly frank with the hon. the Minister who now has control of the railways of the country. I think it right to say that I make this motion because rumours are widespread in the Lower Provinces, with regard to the manner in which these dismissals, appointments, and re-appointments have been made during the past season. Towards the close of last Session, the hon. the Minister of Railways was kind enough to lay before the House a statement showing the number of persons, in a general way, employed before that time on the railroad, who were then dismissed. I think it also showed the reductions made in the salaries and the rates of wages. It was rumoured in the Lower Provinces—perhaps the rumour was entirely void of foundation—that, after those men had been dismissed, several of them were re-employed, and that, in the selection of the staff so employed, care was taken that none suspected of Liberal tendencies should be amongst them. It was further rumoured that other persons who had never been employed on the road in any capacity, were employed afterwards, one or two of them in high positions on the road. It was rumoured, that a gentleman, whose name was used here last Session as authority for the statement that a large reduction was made in the staff of the Railroad without any diminution in its efficiency, was subsequently employed in an important position on that road. Mr. Black, also, was employed as a travelling agent on the road, and, as far as I am aware, he still continues in that employment. It is for the purpose of ascertaining what found-

ation there is for these rumours, and to afford the hon. the Minister an opportunity of dispelling them if they are without foundation, that I move this resolution.

SIR CHARLES TUPPER: I would suggest to the hon. gentleman from Gloucester (Mr. Anglin) that he change the terms of his motion and add the words "dispensed with or dismissed." I draw a great distinction between those terms. If he asks me to make a return of the number of persons dismissed, I am happy to say the return will be a very small one; but if he asks me to make a return of the number of persons whose services have been dispensed with, it will be a very large one. I can state to the hon. gentleman that I am prepared to lay upon the Table of the House a return of all the persons in the employ of the Intercolonial Railway in September, 1878, and a corresponding return, covering the same portion of the road that was in the possession of the Government, in 1878, that is to Rivière du Loup, showing 400 less persons on the staff as officers or employés. The hon. gentleman will, therefore, see that the number of persons whom he would cover by the word "dismissed" would be a large one. I am happy to say the number of persons who have been dismissed is not large, and I do not think the hon. gentleman would consider it right that we should put in the same category persons who have been dismissed from the service for misconduct or neglect of duty, and men against whom there was no charge whatever, but whose services were dispensed with, because the road could be operated with equal efficiency and, at the same time, effect the saving of a large amount of money. I would, therefore, suggest that the hon. gentleman use the term "dispensed with or dismissed," because I would mark those who have been discharged for failure in duty or misconduct, and draw a distinction between them and persons whose services have been dispensed with to save cost. There will be a very considerable number of persons covered by the return the hon. gentleman has asked for; the number of those whose services were dispensed with and who were subsequently employed, because as far as I was able, I was extremely anxious, in dispensing with the services of parties for the purpose of reducing the staff, to have

it in my power to employ them. I am glad the motion is made, because it will enable me to place before the House, in the most specific form, a statement that will enable the House to examine closely into the mode in which this large economy has been effected. I am glad for another reason : because it will satisfy the hon. gentleman himself that the rumours which he says he has heard, and which have attributed to me partiality towards political friends and supporters, are unfounded. The rumour which has reached my ears, and which comes to me day after day, is that I dispensed with the services of political supporters of the Government, or those who regarded themselves as having claims upon the Government, and retained in the service men who had been opposed to the Government, and who had no claims upon it. That is a rumour which reaches me from friends, and in correspondence that I open every day. It has not been because I was desirous of favouring political opponents, but because I called upon a gentleman upon whose information and knowledge of the subject I relied, to make me a return of how many officers were required for the purpose of operating efficiently, and maintaining, the Intercolonial Railway, without reference to who those officers were, and without means of knowing their politics; and the staff was reduced accordingly. When vacancies have occurred, and I have had an opportunity of placing persons in the service, I do not hesitate to say that I preferred those who had claims upon the Government to those who were opposed to it. In so doing, I think I am only acting fairly and properly, as any gentleman on the other side of the House, in my position, would act, in preferring those who are political friends, when there is an opportunity of filling a vacancy. But I think I may say with safety that, in the administration of the Intercolonial Railway, I have fairly subjected myself to the charge of retaining persons in office, regardless of the fact that they were strong political opponents, where I found them able to do their duties efficiently.

Mr. MACKENZIE : The hon gentleman has endeavoured to create the impression, from his remarks, that the staff now working the Railway is 400 less than

when he obtained possession. He knows that it is not a correct impression ; he knows that most of the people were engaged in building or in repairing rolling stock at the Government workshop ; and the return of the dismissals, when it comes, will, I presume, show what particular employment the persons were engaged in, and then we will be able to compare the different classes and the different kinds of work, as they existed then, and as they exist now.

SIR CHARLES TUPPER : The hon. gentleman is accurate to this extent, and I have so stated on a former occasion: Three locomotives were built at the Moncton shops per annum, and the labour required for that purpose amounted to something like \$17,000, and the \$220,000 saved in the expenditure upon the employes of the Intercolonial Railway may be subjected to a deduction of something like \$17,000 or \$20,000 at the outside. The only work to maintain the rolling stock of the Intercolonial Railway, that is asked for by tendering or contract is the construction of locomotives, the rest being done in the shops. I found I could effect a large saving by asking for the construction of locomotives by tender and contract, instead of building them in the shops, because it costs a much larger amount to construct them of the same character ourselves than to obtain them from companies who make it their sole business to build locomotives. But there is still, outside and independent of all labour that is required for the construction of that work, which is now given out by tender and contract, a reduction of over 400 in the working staff of the Intercolonial Railway.

Mr. MACKENZIE : The hon. gentleman should know that the cost of the various works of mounting the three engines and the postal car, and the other works upon which the men were employed, such as that connected with the water supply, reached, not only \$17,000, but over \$57,000, in 1877-8.

Mr. ANGLIN : I did not intend, in using the word "dismissed," to attach any stigma to the men who were discharged, or to say more than that their services were dispensed with. If the hon. the Minister of Railways thinks that this would imply that the men were dis-

charged for misconduct, I have not the slightest objection to change the resolution in the way he suggests, and we will see then who were those whose services were dispensed with and who were dismissed for cause.

Motion, as amended, *agreed to*.

#### INTERCOLONIAL RAILWAY — EMPLOYÉS AT MONCTON.

##### MOTION FOR RETURN.

MR. ANGLIN moved for an Order of the House for a return showing the number of men employed on the first day of October, 1878, on the first of December, 1878, and on the first day of February, 1880, in the workshops of the Intercolonial Railway at Moncton, N.B., at Campbellton, N.B., at Richmond, N.S., and in the workshops of the Province of Quebec. He said: This may seem to be in part a repetition of the previous return, but it aims at obtaining information somewhat different in its character. It is notorious that a great many men employed in the workshops at Moncton were discharged; the other return will show whether any of these men were re-employed. It is asserted that while the number of men employed at Moncton was so reduced, the number of men employed at Richmond station, near Halifax, was considerably increased. There may be a justification for this course on the part of the Minister, but at all events, I think the public are entitled to know whether the statements of that kind are correct or not. There was a workshop of a small class at Campbellton, New Brunswick, and there, I believe, the services of all the men were dispensed with. I desire to know how far the hon. gentleman at the head of the Railway Department, whose sympathies are strongly Nova Scotian, has allowed those sympathies to influence him in the management of the road. It is said that a large number of men were employed during the last year coming from the hon. gentleman's own Province. It is said that a very large proportion indeed of the best positions on the road are filled by Nova Scotians. There is considerable feeling in New Brunswick on this point. The people in New Brunswick, even those who are not opposed to the Government, are naturally much excited by the

belief that Nova Scotians are supplanting New Brunswickers, even in New Brunswick, and they condemn this part of the hon. gentleman's management very heartily. There is a great deal of feeling on this point, and perhaps the hon. the Minister may take this opportunity of contradicting those rumours, if they are without foundation.

SIR CHARLES TUPPER: I am indebted to the hon. gentleman for making this motion because it will enable me again to convince him, as well as any other person who has been misled by the unfounded rumours to which he has given expression, that they are entirely at fault. It is quite true that a large number of the prominent officials in connection with the management of the Intercolonial Railway are from Nova Scotia, but the hon. gentleman will hardly, I think, expect from me that I should dismiss persons who I found had been for years serving the country in that capacity under my hon. predecessor; and that was the state of the case. He will find, after a close examination, that no favouritism has been exhibited by me towards persons from my own Province, but that quite as many persons have been sent by me from New Brunswick into Nova Scotia, as have been brought out of Nova Scotia into New Brunswick. I shall be glad to give the hon. gentleman the means of investigating that point himself, and he will be convinced that no favouritism has been exercised. In fact, the circumstance that I have alluded to, the reduction in the number of officers and employes on the road, has prevented there being any considerable patronage in connection with the work at all. But, where vacancies occurred, they have been filled, so far as possible, by persons previously in the service, and I think I may state that there is not at this moment in that service a single officer of any importance that was not previously in the employment of the Government when I assumed charge of that road.

MR. MCKAY: With respect to the complaint of the hon. member for Gloucester (Mr. Anglin), I may say that there is a general feeling in Nova Scotia that New Brunswickers are taking all the places. I shall be glad when this return comes down to have a look at it and see who is correct. In Nova Scotia, there is

a general feeling that, when a vacancy occurs, a New Brunswicker fills it up.

Motion agreed to.

#### INTERCOLONIAL RAILWAY—ROLLING STOCK AWAITING REPAIR.

##### MOTION FOR RETURN.

MR. ANGLIN moved for an Order of the House for a return showing what locomotives, first-class passenger cars, box and platform freight cars, snow ploughs, and other rolling stock were awaiting repairs in the workshops of the Intercolonial Railroad, or at any station, or any place along the line of the Railroad on the first day of February, 1880. He said: I make this motion because I have heard it stated, on what I believe to be very good authority, that a very large number of accidents have occurred on the Intercolonial Railway, within the last few months, and that the rolling stock of that road has been reduced to a very deplorable condition. It has been stated in this House, that the efficiency of the road is thoroughly maintained, and that the plant and rolling stock were never in better condition than at present. Any number of repetitions of a statement of that kind will not convince the public of its truth, unless it is supported by evidence of a strong and satisfactory character. I think it would be necessary only to appeal to the experience of the hon. members of this House, coming from the Maritime Provinces to throw the strongest doubt upon the accuracy of that statement. Accidents have been very numerous. To my own knowledge, the arrival of the northern mail from the Upper Provinces to St. John, during some weeks past, has been very irregular—some days two or three hours late, and some days seven or eight hours late. The report always was that the mail train was delayed, either because of some freight train having broken down, or because the mail train itself had suffered a calamity of some kind. I heard a few days before I came up here, from a respectable gentleman from my own county, a touching account of the hardships he had had to endure. He drove in the first place, sixty miles, to take the train at Bathurst, and arrived there an hour before the train was due. He went to the railway station and remained there from ten o'clock at

MR. MCKAY.

night until about seven o'clock the next morning, before the train arrived. News came from time to time, that the train was on the road, detained by some accident, but that it would arrive shortly. He and others were detained all night at the station, waiting for the train. When the train arrived in the morning, he was compelled to take passage from Bathurst to Moncton in a smoking car, because the first-class car had given out on the way. This was one of many accounts of accidents on that road. Sometimes it was the track that was torn up, sometimes a wheel of one of the cars that gave way, sometimes the locomotive itself had broken down, and so delay was occasioned until some other locomotive came to the rescue. On more than one occasion, I think, passengers have been compelled to travel long distances in second-class cars. I have seen it stated in the newspapers that, on one occasion, a car gave out and the passengers were divided, the women and children being put into the Pullman car, and the men into the smoking car. I have heard a gentleman sitting on the other side of the House state that, in the first place, he was delayed because the regular passenger train did not arrive in time; the mail train, however, made its way to the station where he was waiting; after much difficulty he forced his way into that train despite the conductor; at Campbellton this train was stopped because one of the car wheels gave way; at Chaudiere, Quebec, the same train was again stopped because another wheel had broken down; and so they made their way along this road. I have heard an hon. member from Prince Edward Island state that he was four days on the road from Moncton or Pictou. One day he was detained at Campbellton, that being on Sunday, but three days were occupied in doing the work of two days. There are many other members in this House who could recount experiences of a similar kind. These accidents have occurred so frequently, that the impression is general that the road and rolling stock have been allowed to fall into a very bad condition indeed. I heard, as I was coming up, of a rather characteristic accident, in which the whole bottom of a car had all but fallen out of it. I have not made any effort to gather up a large number of cases, as I might have

done, but I do assure the hon. the Minister of Railways that he is entirely mistaken if he supposes that any assertions or assurances of his, no matter how sincere he may be, no matter how earnestly they are made—he is always earnest in making these statements,—will satisfy the public that the road is efficiently managed, and that the economy he is pursuing there is a true economy. Many of us in the Lower Provinces were inclined rather to laugh at one specimen of this economy. The rumour spread that, in order to save the expense of polishing the brasswork on a number of locomotives, all the brass was covered with paint, and this we now know to be true. However, I am not disposed to quarrel with any saving which will not impair the efficiency of the road, or deteriorate the character of the rolling stock. In a country such as this, where we cannot afford to waste any money, I would be rather disposed to commend the extraordinary economy of painting the brasswork of the locomotives, for the sake of saving the expense of polishing them. The rumours of which I have spoken reached me in such a way that I can scarcely doubt their truthfulness, but I wish the Minister to understand that I have obtained none of my information from parties connected with the road; I never put a question to anyone connected with the road, nor have I ever spoken in regard to the condition of the road, to any of the employes who were appointed on my recommendation, or who were appointed by the Liberal Government, and indeed I have always been careful to abstain from affording the slightest pretext for treating any gentleman so situated as an enemy of the Government. Perhaps, if I did seek information by that means, I could submit to this House a much stronger case than I have now submitted. But the matters I have stated are matters of notoriety, and are discussed freely amongst the people of the Lower Provinces. They are matters which have been discussed very freely amongst the members on both sides of this House since we began this Session. The rumour I refer to is that, some two or three weeks ago, there were no less than thirteen locomotives waiting for repairs at Moncton, in a condition which rendered them entirely unfit to be used on the road. If this is true, it can scarcely be contended that

the rolling-stock of the Intercolonial has, during the past year, been maintained in the excellent condition in which it was found when hon. gentleman opposite took office. At that time we could all point to the Intercolonial with pride as being inferior to no railway, and superior to nearly all, on the continent. I hope and trust sincerely that the Minister of Railways will be able, not merely to assert that the road is in as good a condition now as formerly, but prove conclusively such is the fact.

SIR CHARLES TUPPER: I am quite aware that the hon. gentleman who has just given such a graphic and deplorable account of the Intercolonial Railway is only re-echoing in the House those statements which a party press has been generally diffusing throughout the country. But I am consoled by the reflection that it is nothing new to see a great organ of public opinion sacrificing, as far as it can, the interests of the country, to misrepresent the conduct of its political opponents. The people for ten or twelve years could not take up this paper, the leading organ of hon. gentlemen opposite, without noticing a column of "smash-ups and crash-ups" on the Grand Trunk Railway. Generally, it has been inserted from Monday morning to Saturday night, with denunciations of the gentleman in charge of that road, who, if the organ of the party of hon. gentlemen opposite is to be believed, was the most unfit man in the world to be entrusted with the lives and property of the people. Yet, we are all familiar with the fact that, when a personal or party object was no longer to be gained by continuing that style of abuse and denunciation, the same organ was prepared to sustain that same gentleman as the best to be found, in the interest of the country, to take charge of this great public work, the Intercolonial Railway. I am consoled by the reflection that the past conduct of that party organ has rendered the public mind familiar with its tactics and the unreliable character of the statements prepared, echoed and re-echoed by it for party purposes. When did the hue and cry as to the deterioration of the Intercolonial Railway commence? At the very moment when those hon. gentlemen were brought face to face with the fact that, under their

management of this road, the public had suffered an enormous loss of money, through the greatest possible extravagance in the conduct of its operations. When that fact came out, that organ and its satellites, great and small, threw themselves into battle array to denounce the management of the Intercolonial. They ought to remember that every man that endeavours to excite alarm in reference to travelling on that Road, or strike a blow at the traffic and business it requires, in order to prevent the public exchequer from suffering by paying half a million a year, in the future as in the past, for the carrying on of its operations, is acting unpatriotically, and sacrificing the interests of the public for party and unworthy purposes. It would be idle for me to make statements here as to the condition of that Road, from personal knowledge, as I am not competent to express a trustworthy opinion on the subject. I must be guided and governed by the testimony of professional men. I have, in the first instance, the testimony of a gentleman referred to by the hon. member for Gloucester (Mr. Anglin), the late Mr. Tandy, respecting whom that hon. gentleman threw out the insinuation that the person who recommended these reductions was found, subsequently, holding a position of emolument under the Government. I knew nothing of that gentleman. I enquired for the ablest and most efficient man to assist me by examination of the Intercolonial, and as to the number of persons employed in connection with it—as to how far economy could be practised, while maintaining the efficiency of the road and rolling-stock—and I was told that, in Mr. Tandy, a gentleman of whom I had never heard and whom Mr. Schreiber had never seen, of whom he knew nothing but that he had been recommended as the best and ablest man for that purpose, I should find a suitable officer. I was largely influenced in the reductions made in the staff by Mr. Tandy's statements as to how great an economy could be effected while yet maintaining the Road and its rolling-stock in the highest efficiency. I believed I had sufficient knowledge of his reputation and character to warrant me in placing confidence in his statements. I subsequently asked him if he would, as Inspector of the rolling-stock, undertake to carry out

those economies and yet maintain the efficiency of the Railway. I was fortunate thus to retain his services. I regret he has since passed away, and I believe that, in his death, the country has sustained a very serious loss, because I scarcely know where to find a man equally efficient for the purpose. Those economies were not made as a matter of experiment, but were cautiously and carefully proceeded with in the light of knowledge, experience, and practical information of the highest character I could obtain. The chief management of the Intercolonial is in the hands of Mr. Schreiber, whom I found holding a high position under my predecessor, and who was placed in the Intercolonial Department, in connection with the operations of this Railway before we went out of power, after our satisfying ourselves that he was eminently qualified, professionally and in every way, for the discharge of such duties. The leader of the Opposition, last Session, bore testimony to the high character he considered Mr. Schreiber was entitled to, and to the confidence he had placed in him. His report has been laid on the table and, after carefully investigating this matter, Mr. Schreiber commits himself to the declaration that the efficiency of the road and the rolling-stock was never superior to the present. I ask what has the hon. member for Gloucester to place against that statement. Is he prepared to dispute it from the few idle stories he hears from one person or another? Everyone knows from the public papers that there has been, during the last two or three weeks, an unusual number of mishaps of no great importance on the Intercolonial. Why? Does he not know that the storm that occurred, while His Excellency was coming up from Halifax, blocked up, stopped and paralysed a great number of railroads; that the great and sudden changes of weather have tried the rolling-stock of the Intercolonial in a very unusual manner? But, notwithstanding this fact, and that the purchase of the Rivière du Loup Branch, 124 miles of additional road, without time to obtain rolling-stock to operate it, has severely taxed the rolling-stock of the Intercolonial, we obtained from the Grand Trunk Railway all the locomotives we could, but we could not obtain what were necessary to

operate the road. We are now having locomotives manufactured for the road. Thus, the managers of the road have been placed in very great difficulties. Rolling-stock could not be ordered until the title of the Rivière du Loup Road was obtained by the Government, which was only in August last. It was not possible, afterwards, to procure the necessary rolling-stock for the demands of the road. All the principal officers of the Intercolonial were in the service of the late Government, and I have the utmost confidence in them. I have already said that any economy obtained by allowing the road and rolling-stock to deteriorate would be the greatest extravagance. I am prepared to show that all those attempts to alarm the public mind, to prevent people travelling on the road, and to prevent its success, are unworthy, and are founded on misrepresentations, and that the management has been so successful as to have enabled the Government, with a decreasing traffic to show, instead of an enormous deficit, the previous deficit reduced to a comparatively insignificant figure. I am glad to be able to assure the House, notwithstanding all detraction, that the condition of the rolling-stock is all that could be expected, and will compare, most favourably, with that of any other road. Hon. gentlemen opposite ought to know that, down to last year, the rolling-stock of the Intercolonial was charged to capital account, and cost \$125,000 for the years 1877-8. How much rolling-stock does the hon. member for Gloucester suppose that, with the exception of three locomotives, was put on as a charge to revenue? One postal car. We have maintained the road and rolling stock and reduced, something like \$500,000 of a deficiency in their time, to less than \$100,000, which I confidently expect in a year to extinguish altogether. I expect its revenue will suffice for its expenses, unless hon. gentlemen opposite, by just such unpatriotic speeches as have been made to-night, based on idle rumours, so alarm the public mind as to prevent the road performing the duty expected of it by the country. I put it to the people whether the fact that not a passenger on the Intercolonial lost his life last year is not a proof of the falseness of the stories as to its improper condition. In so attacking the Road, people are only echo-

ing the most malicious and unfounded slanders published by the party organ of hon. gentlemen opposite—an organ which, as I have said, after devoting twelve years to the work of breaking down the character of and holding up to execration, the Manager of the Grand Trunk, proved ready to take it all back, and sustain the same man as the ablest public man for a Railway Manager to be found in this country, when it suited the purpose of its party to take that course.

MR. MACKENZIE: I have no intion of entering on any discussion of the condition of the Intercolonial Railway, until I have examined the documents brought or to be brought before the House. I asked the hon. gentleman not to continue such gross attacks upon members on this side of the House, without a particle of justification for them. I defy the hon. gentleman to point out a word I ever said, anywhere, since I left office, about the Intercolonial, either to its disparagement or injury.

SIR CHARLES TUPPER: I do not think the hon. gentleman understands me to make any reference to him.

MR. MACKENZIE: You said the words—the gentlemen opposite and their organ.

SIR CHARLES TUPPER: I referred to the *Globe* as the organ of the party, and the remarks of the hon. member for Gloucester (Mr. Anglin) and the hon. member for Inverness (Mr. MacDonnell).

MR. MACKENZIE: To what they said in the House?

SIR CHARLES TUPPER: Yes.

MR. MACKENZIE: The hon. gentleman alluded to political gentlemen here making disparaging and untrue remarks about the Intercolonial Railway, and now it appears that he is not able to lay his finger on any such observation. He charges us, besides, with doing great injustice and injury to a public work. Are we never to say a word about any Government work for fear of injuring it? Are we not to be able to expose mismanagement of this Road for fear people shall cease to travel by it? The hon. gentleman wants to shut every man's mouth and prevent a free discussion in this House in order that he may be able to continue his mismanagement of this work. There is no member of this House who has travelled over this road to



take his seat, to whom I have spoken, who has not told the same story. Some of them have met with three accidents in the course of one journey, and the prevailing opinion is that the rolling stock has run down to such an extent that it has really become unsafe.

SIR CHARLES TUPPER: No.

MR. MACKENZIE: Why, the hon. gentleman has admitted that, owing to a train of circumstances, a very large number of accidents has taken place within the last three months. He does not deny that an unusual number of accidents has taken place, but he says that they were caused by snow storms. Why, a large number occurred when there was no snow. The hon. gentleman makes an attack upon the *Globe*. I dare say the *Globe* is able to defend itself, but I would like the hon. gentleman to point out any passage in that newspaper that will justify his extraordinary statement. That paper very properly denounced the mismanagement which existed for many years in the direction of the Grand Trunk Railroad, where much public money was sunk. It is the business of every newspaper to denounce mismanagement of this character. Everyone knows the hon. gentleman's friends made the Grand Trunk a political machine in the past, as they are making the Intercolonial a political machine in the present time. The hon. gentleman's puny attack upon a great newspaper is one only to be laughed at. We will be able to see, from the statements to be laid before the House, in what condition the traffic of the road is. We will be able to see how much traffic has been carried over the road. The hon. gentleman speaks of the decrease of the traffic. Has the traffic, then, really decreased? The traffic was rapidly increasing at the time I left office, and everything was in excellent order. Now we are told, by every person that travels over that road, that not only the rolling-stock, but the road-bed is getting into a dilapidated condition. It is the duty of every member of this House to see that, even for economic reasons, this great national highway, which cost so much to build, shall be maintained in a proper state of efficiency. The hon. gentleman was never slow in attacking the policy of the late Government in reference to the road. At the time of the Gene-

ral Election he got a Mr. Black to grossly misrepresent statements made in my office and elsewhere, and he came out with false statements in the Halifax papers in order to influence the elections against us. That man was afterwards rewarded by being appointed to a position on the road which he was not capable of filling. This road has been used as a political machine, and the hon. gentleman will find that he will not be able to prevent a free discussion of the mismanagement of this road of which he has been guilty.

MR. DOMVILLE: The hon. member for Lambton (Mr. Mackenzie) says that there is not a single member who has passed over the road who has not met with an accident.

MR. MACKENZIE: That I spoke to, I said.

MR. DOMVILLE: There is the hon. member for St. John (Mr. Weldon).

MR. WELDON: But we were delayed a little by a break down.

MR. MACKENZIE: There is another testimony.

MR. DOMVILLE: Well, we did break down on the road. The engine which took us to Metapedia got out of order, and we were detained there for an hour, but we got into Montreal on time. With reference to the remarks of passengers, about the dilapidated condition of the rolling-stock, I cannot understand how a first-class passenger can obtain much information about the rolling-stock on his journey over a road covered with snow, or about the road-bed. The hon. gentleman would hold a member of the Cabinet responsible for acts of his subordinates. I have no doubt that there are faults to be found with the road, as with all roads, but I think to throw discredit on that road, is not fair to the Lower Provinces. I think the hon. gentleman should have made a specific charge. He should have stated the real grievance, and have explained how the rolling-stock was diminished. I have not observed the depreciated condition of the road, and I should be loath to accept it as a fact, until I knew it to be so, until I was assured of it from a more reliable source than mere rumour, as it is most unjust to the operatives of the line to complain in general terms, without being able to substantiate such precarious charges.

MR. MACKENZIE.

MR. MACDONNELL (Inverness): I am sorry that the hon. the Minister of Railways should have charged me with trying to create an alarm as to the efficiency of the road in question. I simply, in as few words as I considered necessary, asked for information, a few days ago, in regard to the number of accidents which have occurred on the road since the first day of January last. I did so, as I stated at the time, for the purpose of dissipating any alarm that existed in the mind of the public as to the state of the road—if such alarm was not well founded. The hon. gentleman said, in reply, that he was happy to be in a position to bring before this House a statement of efficiency. Now, however, the hon. gentleman admits that the road is not in an efficient condition. He says that the purchase of that section of the road from Rivière du Loup to Point Lévis, was a great strain on the road, and he apologises on that account for the inefficient state of the road-bed.

MR. SNOWBALL: I have had opportunity of ascertaining some particulars in regard to the management of the Intercolonial. I can assure the hon. the Minister that there are portions of the country in which complaints are numerous in reference to the management of the road. The section of the country in which I live is deeply interested in the Intercolonial, and it would be a great loss to us if anything should occur that would interfere with the usefulness of that road. But I must say, in support of what has been said in this House, that the complaints made against the management of the road are very strong. Person from all sections of the country who have occasion to pass over it complain strongly in reference to the condition of the road. In travelling over it, a few months since, to Halifax, the train at the way station at which I embarked was four hours behind time. I know of no reason why the train should have been behind time on that occasion. We arrived in Halifax three hours behind time. It was quite a serious matter for the steamer that should have got away at 2 o'clock, but did not in consequence of the train being late, get away until dark. The complaints were general amongst the passengers, on account of this delay, and I understand that this detention of the steamers in this way is not an uncommon thing. The passengers

who came down on that train complained of the road being rough. On my return from England we experienced undue delay in getting away from Halifax. I do not blame the Minister for this because he could not control it. We arrived at 8 o'clock in the morning and were informed that we would get away immediately, but, instead of that, we had to wait in Halifax four hours—until 12 o'clock—and only two hours before the departure of the regular express. After getting under way, we commenced to lose time, and did not arrive at Moncton until the time the regular train was due there. It was a clear, cold day, and this further delay should not have occurred. We left Moncton and partly ascended the grade, when, to our surprise, we came down again. This they kept up for a considerable time. I had been away from home for some months, and, being so near home, I was naturally uneasy at this detention. I got off the train to ascertain the trouble, and found we had to go back to Moncton for assistance. At Moncton an engine was obtained, which shoved us up the grade. Further on, the train continued stopping. Upon making enquiries in regard to this stoppage, I was told the axles of the engine, which had just come out of the machine shop, had not been previously tried, were red hot, and that they were in danger of being twisted off. After a great many delays, we got as far as Barnaby River. The next mishap we met with was the breaking of the flanges of the wheels of one of the postal cars, which, in consequence, got off the track, cutting up the track for some distance, and doing other damage. It was said that this accident would not occasion more than a couple of hours delay, but, being only two miles from the junction, and being also in a hurry I started to wait. I was told subsequently that the train was delayed from 11 o'clock, the time at which the accident took place, to one o'clock the next morning, and, as the ordinary express was coming up behind, that train also must have been detained. After they started in the morning, I understand that other mishaps occurred, but these, as I was not then on the train, I will not refer to. Now, there seems to be cause for complaints, and I am surprised that more has not been said than has been. The hon. member for

Gloucester has said that there are a large number of locomotives in the round-house at Moncton under repair. I know that, about the first of January, there were eight locomotives at Richmond, some of which had been there for nearly twelve months. I think that, in view of these facts, an inspector should be sent over the road, and something should unquestionably be done in the matter. The public complain that locomotives are hired from other railways, as the Minister of Railways admits, to do the work of the road, whilst a large number of our own locomotives are lying in the shops, and the shops almost idle and without mechanics to repair them. I do not think the Government are justified in discharging employes and in reducing the time of those employed when there are eighteen locomotives lying in the machine shops at Moncton and eight at Richmond for repair. It is stated that, under the late management, each locomotive was required to take so many loaded cars, and I believe the minimum was fourteen or fifteen. It is now asserted that it is hard to find a locomotive that can draw more than six or seven cars, and there is only one or two locomotives that can take twelve full cars, instead of being able to take about twenty. If these facts are true, this, I consider, is the place to ventilate the grievance. I know that my constituents would not excuse my neglect of duty if I did not raise my voice upon this question, and I do so in a friendly manner. My experience of the road is that it is a very rough one. Inured by constant travelling to hardships, I can sleep almost upon any railroad, but I must confess my inability to sleep upon the Intercolonial. These things undoubtedly require investigation, and, unless something is done energetically and quickly, the road will get a reputation it will take a long time to remove.

MR. MCKAY: If the story told by the hon. member for Northumberland (Mr. Snowball) and all the incidents are as greatly magnified as one portion of it, then it is a pretty good story. I was aboard that train as far as Truro. After we left Moncton, we got stuck in a cutting, and, as soon as we returned, an engine was procured which pushed up through that cutting. The road was

very heavy, and, before we got to the Junction, something did happen, and we got off the track. We were there some two hours instead of being from seven o'clock to eleven o'clock the next morning.

MR. BOULTBEE: I only rise to take exception to some remarks that were made by the hon. member for Northumberland (Mr. Snowball). He said the condition of this road was made the subject of a grievance, and that the country was calling upon us to take a stand in the matter. Now, I take exception to those remarks altogether. I think the country is not calling on us to take any such stand. I am surprised that such charges should have been made as these—all, with one exception, made on the tongue of rumour. It does seem to me extraordinary, that hon members should get up and make charges which they are unable to substantiate, except by saying that they heard that such and such was the case. That is not the way our business should be done, and, if charges of this kind are to be brought forward, the public will expect to have them supported by some sort of proof. With regard to the reference of the hon. member for Gloucester (Mr. Anglin) to the alleged reports circulated against this railroad, I am sure that neither you, Sir, nor any man in this House, ever travelled over a long reach of railroad, without hearing every man, and every woman, and especially the old women, begin to talk of the evils of the road, how the train shook how it bumped on the track, how many accidents had occurred on it, and so on; and that is the sort of information the hon. gentleman formulates against this Railroad, upon which the present Minister of Railways has effected such a satisfactory reduction in the expenditure of the country. I have not heard such rumours against the Intercolonial Railway as have been referred to as being made in the newspapers. I have not seen any of these attacks upon it in the public press; but I see that an hon. Senator, the other day, in his seat in Parliament, stated that the Intercolonial Railway, with its rolling stock and all its appurtenances, was in a very good condition, and that gentleman was one of the Commissioners who built the road. There was a man who might be said to have authority on the subject,

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stating that the Intercolonial Railway is in a very satisfactory condition. There is one gentleman, the member for Northumberland (Mr. Snowball), who goes further than the other gentleman. He gives his own experience, and, if one, while listening to him, had his eyes shut, he would have imagined that the hon. gentleman was one of those ancient personages to whom I have alluded just now. I never heard such an amusing account of railroad travel; but, the hon. gentleman so mixed up matters that it was impossible to tell whether the incidents occurred on that one night that he was kept away from the bosom of his family, whether they occurred in one night, or one day, or one trip, or during a period of four months; and we do not know whether he was suffering from his own absurd imaginations, or from the effects of the absurd stories of those with whom he was travelling; and how it is possible that he lived, suffering from hunger and the bumping about of this train, unable to sleep by night, and, I presume, unable to sleep by day, if he could not sleep by night, I am at a loss to divine. But I understand the hon. gentleman is an expert in those cases. He has a railroad of his own; he has been the President or Manager of a railroad,—not one, however, stretching over a distance of 800 miles, and passing through districts, in which, especially in winter, delays in the arrival and departure of trains are unavoidable; but his railroad is only 5 or 6 miles long; he can survey his own railway very easily from the top of any high stump in the vicinity. His experience as a railroad proprietor has not been successful, though his line is only five miles long. It went wrong somehow, and the hon. gentleman desires to get a portion of the rolling-stock from this already depleted Intercolonial Railway and the aid of its staff, to assist him in working his gigantic undertaking. There is an expert for you. If the Intercolonial Railway is in the terrible state which he says it is, then the country calls upon him, it demands that he shall not assist in its depletion by taking away its rolling-stock to supply his own road. It wants its stock and staff as much as his road does.

MR. ROBERTSON (Shelburne): At

the risk of incurring the displeasure of the hon. the Minister of Railways, I may say that I was a passenger on the train with the hon. member for Northumberland (Mr. Snowball), and I can confirm his statements. The hon. member for Colchester, (Mr. McKay), was also a passenger and one of the principal grumblers at the delays which occurred. Reports are current in the Lower Provinces against the management of the Intercolonial Railway, and you may take up any of the newspapers, whether Conservative or Liberal, and find almost every week, and sometimes two or three times a week, reports of accidents on that road. Almost every train carrying the mail from Halifax to Montreal is delayed ten hours at least. The rolling-stock is not in complete repair, and along the line of the Intercolonial much dissatisfaction prevails in reference to its present management.

MR. ANGLIN. The House must have remarked that the tone and manner of the hon. the Minister of Railways, when he replied to the remarks I made when introducing this resolution, were the tone of one who was deeply hurt, and the manner of one who felt that the charges made against the management of the Intercolonial Railway are very serious, and that it is impossible for him to answer these charges satisfactorily. He charged me with having denounced the Intercolonial Railway, and then he attacked the *Globe*, and he so mixed myself and with the *Globe* that it was impossible to tell when he was attacking me, and when he was attacking the *Globe*. He charged me with being unpatriotic, and he spoke of the introduction of this resolution as part of a system of attacks commenced by the *Globe* for partizan purposes; and he said that we sought, by throwing discredit on the road, to prevent its doing the work it would otherwise do, and deter persons from travelling over it. I contend that my course is truly patriotic; I am simply discharging one of my duties to the country, as one of the people's representatives, when I submit for the consideration of the House of Commons the statements I have made. All I desire is that this railroad shall be put into proper condition, that its rolling-stock shall be safe and sound, and that it shall have restored to it the high character it once bore, and

which has been destroyed within the last few months. It is too well known to the people of the Dominion, and to many in the United States, that, of late, the mails are frequently delayed on this road, and that accidents are continually happening on it. Quite recently, a man was killed on that railway. We cannot hide these facts; and, even if we could, would it be our duty to conceal them, and allow the management to go on from bad to worse, until the road become impassable? No, Sir, it is our patriotic duty to raise our voice against such a management, and to warn those in charge that the road must be put in a better condition. In stating that in some respects there had been an increase of expenditure, I did not mean to make an insinuation, as the hon. the Minister of Railways ingeniously puts it; I merely made a plain and simple statement of facts. The hon. gentleman contracted himself with regard to the condition of the rolling-stock, for he maintained in the first place, —in fact he stated more than once,—that the road and rolling-stock were in a state of the highest efficiency; and afterwards he said the rolling-stock was over taxed, because the Government has been in possession of the road from Rivière du Loup to Point Lévis for the last few months. I think it was the general impression, some two years ago, that the Intercolonial Railway was thoroughly equipped, indeed that there was an excess of rolling-stock of all kinds; and the addition of some 120 miles of road ought not to have overtaxed the rolling-stock as the hon. gentleman has said. They were unable, he says, to find a sufficient number of locomotives to do the additional work. Why did they not keep the locomotives they had in repair? Several of the men who were discharged from the workshops at Moncton, were still at that place waiting for employment, and there need have been no difficulty in keeping the locomotives in proper repair. When the rolling-stock was falling into such a condition, why were so many men discharged? Why were the hours cut down to eight hours a day at Moncton, while at Richmond the men were working ten hours a day? Whatever the reason was, there were plenty of men to do the work, and ample means for doing it; yet, for some reason unexplained,

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these locomotives—thirteen, it is said—were allowed to remain out of repair at Moncton. We have the statement of the hon. member for Northumberland that there were eight locomotives waiting at Richmond to be repaired, and one of these has been waiting for twelve months. Why were not these repaired? It was not for want of workmen or workshops. It was not my intention to work up a case. If I had wished to do so, I could have worked up a case of a much more serious character. Somebody charged me with not having sustained my statement by evidence. I have stated what I knew personally. The hon. members for Inverness (Mr. MacDonnell), Northumberland (Mr. Snowball), Shelburne (Mr. Robertson), and even the hon. member for Colchester (Mr. McKay) himself, have furnished most conclusive proofs of breakdowns, delays and accidents, which fully sustain the charges made by me. As I have said, I did not attempt to make out such a serious case, as might have been made up. I have brought forward a simple statement of what I believe to be facts, in order that they might be fully investigated, and that the hon. the Minister of Railways might have an opportunity of disproving them if they are not facts. I think, Mr. Speaker, that after what has passed this evening, the hon. the Minister must be convinced that there is something in the management of this Railway which requires careful supervision on his part. The country holds the hon. Minister and his colleagues directly responsible for the management of this great public work, and it will not be sufficient for him to say, when anything goes wrong, that not himself but those concerned in the actual working of the Road, should be blamed. When the statements made here to-night go to the country, the public will have before them more than those newspaper articles, which have so stirred up the indignation of the hon. the Minister of Railways, and they will observe that these statements have not even been fully contradicted. The hon. Minister did not, I think, if my memory serves me aright, attempt to contradict any one of the statements which I made. He did not say that there were not thirteen locomotives lying at Moncton some time ago

waiting for repairs; and he will not, I think, pretend to say that, while these were unrepaired, while no special effort was made to repair them, it was the addition of this 124 miles of railway that caused all the damage to the rolling-stock and the consequent delays and accidents. I do not care to follow this matter much further. I had no desire, either to denounce the management of the road, or to make any special attack on the hon. gentleman or his colleagues. But, coming myself from the Maritime Provinces, and having heard much, from what I believe to be good authority, with regard to the condition of the road, and having found myself, on the way up, that the road in some places had become very rough indeed, I felt it my duty to bring this subject before the House, in order that the hon. the Minister might ascertain by an expression of opinion of the House, what the feeling of the country is, and in order that he might modify his system of economy, so as to secure hereafter to the people travelling over that road, at all events, such immunity from accidents as it is possible to secure. If only two or three accidents had occurred, it would have been wrong to have made such a motion. Accidents will occur on railroads despite all the vigilance that can be exercised, although, in most cases, what are called accidents are the result of negligence or carelessness on the part of the officials. If there had been but one, or two, or three accidents on that road during the last month or two, I would have refrained from making this motion, but the accidents have been so numerous and so serious,—fortunately there has been no loss of life, with one exception, though there has been great destruction of public property,—that it certainly was the duty of someone to bring the matter before the House. I shall be much pleased if it can be shown that the hon. gentleman at the head of this great work has really laboured to keep it in the state of efficiency in which he fancies it now is. Others do not think it in such a state of efficiency, and no attempt to conceal the truth, no bold repetition of the assertion that the road and rolling-stock are in the highest state of efficiency will serve to remove the impression that the road is now in a much worse condition than it was when the

present Minister of Railways assumed control of it—an impression which, I once more assure him, prevails far and wide.

MR. LONGLEY: I am not going to take upon myself to pronounce upon the condition of the Intercolonial Railway, or upon the accuracy or inaccuracy of the statements which have been made by the hon. member for Gloucester (Mr. Anglin). I happened to travel in the same train with that hon. gentleman, in making my way to Ottawa, and I should like to ask him a question or two. Did we not arrive at Montreal on time? Now, I can state that, in travelling from Halifax here, we left Halifax at sixteen minutes past one o'clock on Tuesday, and we arrived at Montreal at half-past six o'clock on Thursday morning, being not one minute behind time.

MR. ANGLIN: We travelled up pleasantly on the road. We heard of accidents that had happened, but we met with no accident, though we lost two hours on the way. We did arrive on time next morning at Montreal, having made up the lost time.

SIR CHARLES TUPPER: I would ask the hon. gentleman whether he travelled more rapidly on the Grand Trunk, if he came over that line, than over the Intercolonial?

MR. ANGLIN: I cannot answer, for I was fast asleep on the Grand Trunk.

MR. LONGLEY: I do not think the hon. member has much broken the force of my remarks. Facts are stubborn things, and I am simply stating a fact in regard to the time we made between Halifax and Montreal. There was a slight detention in two or three places on the road coming up, I am ready to admit, but they were slight, and the fact of our arriving at Montreal on time, proves that we fully made up the delay. Now, I do not think it should be a matter of great surprise that, about the Metapedia Valley, where the snow is three feet deep and the frost intense, the road should be a little rough. I imagine it is seldom indeed that at this season of the year, and in our climate, a road of 800 or 900 miles long is smooth over its entire length, and that would be a sufficient excuse in regard to the deficiency of rolling-stock, as has been alleged. Surely the addition of 124 miles to the length of the road, with the increased de-

mand upon the rolling-stock which this addition would necessarily entail, should be taken as sufficient excuse for some mere delay, and greater uncertainty about getting over the road, than if it were fully supplied with the necessary rolling-stock, or than would have been the case had not the length of the road been increased. Now, I do not for a moment wish to undervalue the testimony that has been given here to-night, if testimony it can be called; I would rather say, the statements that have been made, either *pro* or *con*, for or against, the management of the Intercolonial Railway, should be regarded as much more reliable than official reports. But what I think we have a right to attach importance to is the report of an efficient engineer, and one whose reputation is not confined to a narrow space, one who is recognised wherever he is known, as thoroughly competent to discharge the duties he has been appointed to fulfil. Now, I think the report of such a gentleman as that, the Chief Engineer of the Intercolonial Railway, will pass for more than the private statements of members of this House, however intelligent they may be. I think my hon. friend who spoke from one of the seats near the Treasury Benches hit the nail on the head. There has been no approval expressed in regard to the result of the reduction of cost of management in connection with the Railway, but what is now attempted to be done is to bring down the credit acquired by those who reduced the expenses. There, it seems to me, is the secret of the ebullition of feeling we have had on the part of those gentlemen who had such a deplorable time in travelling over the Railway. I think that every gentleman present who travelled in the train with my hon. friend from Gloucester could give testimony entirely coinciding with that which I have given, and, I might add, if they had not a purpose to serve, they would have done so.

**MR. SNOWBALL:** The hon gentleman from North York (Mr. Boulton) said he did not understand what I said. Well, I certainly did not expect that he would. When he said that I am President of a railroad, and the road I am connected with is not more than five or six miles in length, I wish to tell the hon. gentleman that I am not Presi-

dent of any railroad, and the road I am connected with is not five or six miles in length, and possibly the hon. gentleman knew that his statement was not correct. I certainly did not blame the hon. the Minister of Railways for not assisting, at that time, the road with which I am concerned. The hon. the Minister treated me on that occasion, as he has always treated me, with the utmost courtesy. I was willing, and am still willing, to accept the answer received in good faith. I might have made use of the information I received from that enquiry, and, as I did not do so, I think the hon. the Minister should not have put the words in the mouth of the hon. gentleman that I applied for assistance.

Motion agreed to.

#### MOTION FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Address—Copies of all reports and correspondence relating to the dismissal of Mr. A. Cauchon, a clerk in the Canal Office in Montreal, in June, 1879.—(Mr. Holton.)

Address—Copies of all correspondence between the Government and the promoters of the Credit Valley Railway, relative to the right of way from the western limits of the city of Toronto, to its terminus in said city.—(Mr. Oliver.)

Address—Copies of all Orders in Council, regulations, correspondence, etc., between any person and the Government, since the last Session of Parliament, respecting the drawback promised on ship materials; also, a statement showing the names of all applicants, the particulars of the applications made, the amount applied for, the amount allowed and paid in each case, with the dates of such payments.—(Mr. Weldon.)

Order of the House—Return of the amounts expended on the repairs done to the Negro Point Breakwater, in St. John, since the damage, Fall of 1878; also, the money realised from the sale of any lumber which was a part of the said Breakwater; also, the amount paid to Mr. D. W. Clark for his services in connection with the same, from the time of its damage to the present.—(Mr. Weldon.)

Order of the House—Return of all wheat-flour, rye-flour, oatmeal, cornmeal, wheat, barley, Indian corn and oats, imported into each of the Provinces (exclusive of British Columbia), since March 14th, 1879, up to 1st day of February, 1880, and the duty collected thereon.—(Mr. Weldon.)

Order of the House—Return of all coal and coke (distinguishing kinds) imported into each Province of the Dominion (exclusive of British Columbia), since March 14th, 1879, up to February 1st, 1880, and the duty collected thereon.—(Mr. Weldon.)

**MR. LONGLEY.**

Order of the House—Return of all teas imported from the United States in each of the Provinces of the Dominion, since the 14th March, 1879, up to February 1st, 1880, on which an additional duty of 10 per cent. has been collected; the weight and value thereof, and the amount collected thereon.—(*Mr. Weldon.*)

Order of the House—Return of all old rails sold by the Government or their order since first of January, 1874, up to present time; the quantity sold, the dates of delivery, the prices sold for, the parties sold to, and the dates of payment for same, and what portion sold for shipment to the United States or shipped to United States on Government account; also a similar return of all scrap iron sold during same period.—(*Mr. Weldon.*)

Order of the House—Return of copies of all letters addressed to the Government by the Official Assignee of the District of Shelburne, Nova Scotia, during the years 1877, 1878 and '79, resigning said office, together with the replies thereto, containing the reasons (if any) for the non-acceptance of his resignation, and also a copy of the bond filed by that officer, and any information the Department may have as to the financial position of his sureties.—(*Mr. Robertson, Shelburne.*)

Order of the House—Return showing the names, residence, occupation and date of appointment of all Official Assignees appointed between the 8th day of April, 1875, and the 18th October, 1878, and between the 18th October, 1878, and the 16th day of February, 1880.—(*Mr. Cameron, South Huron.*)

Order of the House—Return showing receipts and expenditures under the Weights and Measures Act for the last six months of 1879.—(*Mr. Ross, West Middlesex.*)

Order of the House—Return showing the sums of money expended for confidential printing during the years 1877-8 and 1878-9, and the last six months of 1879; also, the names of the persons or firms to whom such moneys have been paid.—(*Mr. Ross, West Middlesex.*)

Order of the House—Copy of any claims made by Messrs. MacLean, Roger & Co., against the Government for damages, for breach of their contract for the Public Printing, and for all petitions, papers, and correspondence relating thereto.—(*Mr. Kirkpatrick.*)

Address—Copies of all rules, regulations and Orders in Council affecting the importation of grain of any kind in bond, together with a statement of the quantities of the several classes of grain so imported and the amounts so imported at the principal ports of entry of the Dominion.—(*Mr. Mackenzie.*)

House adjourned at

Fifteen minutes before

Twelve o'clock.

## HOUSE OF COMMONS.

Monday, 23rd February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### RECEPTION OF PRIVATE BILLS PETITIONS.

*Resolved*, That the time for receiving petitions for Private Bills be extended for ten days.—(*Mr. Robinson.*)

### PUBLIC ACCOUNTS—REFERRED.

*Ordered*, That the Public Accounts of Canada, for the fiscal year, ended 30th June, 1879, and the report of the Auditor-General on appropriation accounts for the same year, be referred to the Select Standing Committee on Public Accounts.—(*Mr. Kirkpatrick.*)

### BILLS INTRODUCED.

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

Bill (No. 16) To authorise and provide for the winding up of the Stadacona Bank.—(*Mr. Vallee.*)

Bill (No 17) To incorporate the Bell Telephone Company of Canada.—(*Mr. Kilvert.*)

Bill (No. 18) To make provision for the winding up of insolvent incorporated Fire or Marine Insurance Companies.—(*Mr. Ives.*)

### PREVENTION OF CRIME BILL.

(*Mr. Blake.*)

#### FIRST READING.

MR. BLAKE introduced a Bill (No. 19) For the more effectual Prevention of Crime. He said: Some years ago, when it was the duty of the late Government to call attention to this subject, statements were made which indicated that the rate of increase of crime in Canada was of a very extraordinary and alarming character. I have not, upon the present occasion, taken steps to ascertain the general rate of increase of crime since that period. I had hoped that there would have been ere now presented to us the report of criminal statistics authorised by the Act then passed, which would have enabled us more accurately to trace the rate of increase, but it is sufficient for the purpose, I think, to refer to such statistics as we have in our possession of the graver classes of crime as evidenced by the number of convicts remaining in the Penitentiaries. I do not propose to go far back, but I will give you the statements from December, 1876, at which time, according to the reports,



there were 1,048 persons in the Penitentiaries; in June, 1877, there were 1,081; in June, 1878, 1,159, and in June last, 1,318; showing that there has been an increase in two years and a half of not less than 270 or at the rate of twenty-five per cent. But that even does not represent the true state of the case, because the ratio of increase is unfortunately progressive. The rate of increase for the fiscal year 1878 is about seven per cent., while for the next fiscal year it is almost fourteen per cent., or very nearly double. There is something radically wrong in such a state of affairs. Our population has certainly been increasing during these two or three years, at a very slow rate, while there has been this increase in the graver classes of crime of at least twenty-five per cent., which is certainly extremely disheartening; nor do I believe that the increase, as represented by the Penitentiary prisoners, at all equals the true rate of increase in the serious classes of crime, or the increase of crimes committed by hardened or habitual offenders; and it is in order, to some extent, to remedy the latter evil that I venture to submit to the House the measure I am now asking leave to introduce. I believe that, in the larger proportion of cases, old offenders, persons who have been subjected to one or more prior convictions, have escaped the consequences of these prior convictions, by reason of there being no proper means of identifying them as old offenders, and I believe that the Act for the Summary Administration of Justice, an Act under which speedy trials take place, has, amongst some good consequences, produced evil consequences in this particular, from the shortness of the interval between arrest and trial, and from the comparative privacy of the trial. Now, this is a serious business; because I think it may be fairly laid down that, whatever opinions may be held with regard to the first offence, whatever principle, amongst the divers and opposite principles of treatment, you may adopt with reference to the first offence, there is a tolerably general concurrence of sentiment amongst those who have looked into the matter that, after several convictions, we must, as a rule, treat the offender as an enemy to society, as one whom the interests of society require to be impris-

oned for a very long term of years, and that, if there be, as I should be loath to say there is not, a chance for his reform, that chance depends on his having a long period of imprisonment and of the discipline, if it be improving discipline, of the Reformatory and Penitentiary. So that, whether you regard the interests of society and adopt the view that the reform of the criminal is almost hopeless, or whether you regard the interest of the criminal himself, I maintain it is absolutely necessary that long terms of disciplinary imprisonment should follow repeated convictions. It is then essential that we should provide greater facilities for identifying persons who have already been convicted, and one purpose of this Bill is to provide that there shall be kept in each Province of Canada a register of convicted criminals, the particulars being supplied by the Wardens of the Penitentiaries or Reformatories, and the Sheriffs of the various districts, pursuant to instructions to be prescribed. There is also a provision authorising the Governor-General in Council to make an Order for the photographing of convicts. That is one set of provisions of this Bill. The second set of provisions enacts, with reference to persons proved to be for the second time convicted that, for a term of years after the expiration of their sentences on the second conviction, they shall under special circumstance be guilty of an offence punishable by imprisonment. The first circumstance is if, being charged with gaining his livelihood by dishonest means, it appears to the Court that there are reasonable grounds for believing that the convict is so gaining his livelihood. The second is if, being charged with any crime, and being required by the Court to give his name and address, he refuses to do so. The third is if he be found in any place under suspicious circumstances, such as may lead to the presumption that he was there for the purpose of committing a crime, or was waiting for an opportunity of doing so; and the fourth is if, being found in any dwelling-house, warehouse, or adjoining premises, he is unable to give any reasonable grounds for his being so found. The last provision of the series is one authorising the Court, in the case of persons more than once convicted, and against whom the previous conviction or

convictions are proved, if the Court thinks fit, to award, in addition to the sentence for the crime last committed, a sentence of police supervision for a certain period of years. Every such person is required to give notice of his place of residence to the Chief of Police of his own district, to report each change of residence to that officer, and thereafter to report himself monthly—failure to complete with this provision being made a punishable offence. None of these provisions are novel. They have all been introduced into the Imperial Criminal Law; first by the Act of 1869, amended and modified by an Act passed in 1871. I bring this measure before the House as, in my opinion, calculated, I will not say to remedy the very serious evils which at present exist, and under which the number of our criminal population is so largely increasing, but to go some length towards remedying some of those evils. It appears to me imperative that we should, in the first place, provide better machinery for the identification of old offenders, with a view to their appropriate punishment, and that we should, in the second place, give greater facilities for the confinement of those who, having been more than once convicted, are found under suspicious circumstances, and are unable to explain to the Court in any reasonable manner the reason for their being so found, and, in the third place, that we should provide for hardened criminals a system of police supervision which will enable the authorities to keep watch over them to a certain extent. I entirely recognise the view that legislation generally on the Criminal Law is more fitly to be carried on under the responsibility of the Government. I have taken this step, which seemed to me to be the most convenient for bringing the subject under the notice of the House, but I shall be only too glad if my hon. friend the Minister of Justice will take charge of the measure, with such modifications as may be thought proper to propose.

Bill read the first time.

RAILWAY COMMISSIONERS' COURT BILL.

(Mr. McCarthy.)

FIRST READING.

Mr. McCARTHY introduced a Bill (No. 20) For instituting a Court of Rail-

way Commissioners for Canada, and to amend the Consolidated Railway Act, 1879. He said: The object of this Bill is, in the first place, to constitute a tribunal with power to determine disputes arising between railway companies as to their crossings, the arrangement of their traffic, the adjustment of rates for passengers and trade, and matters of that character. It also proposes to give power to this tribunal to determine matters in dispute between railway corporations and municipal corporations, as to the alignments of their tracks, and places where the companies may use the streets and public highways within the limits of their respective corporations; and lastly, to transfer to this Commission the power which the Railway Committee of the Privy Council now exercise with regard to matters under the head of "powers" in the General Railway Act, including "highways and bridges," "traffic arrangements," and "tolls," transferring, in a measure, all those powers, except that with regard to the opening of roads which I propose still to leave to the Governor in Council. The amendments proposed to be made in the General Railway Law are of a character to place the arrangements made by the railway companies, and the tolls, from time to time, proposed to be charged by them under the control of this Commission. But there is one special grievance which I propose to strike out, one about which I feel warmly, and from which my constituents have suffered greatly, and that is the power which the railway companies think they have, and perhaps have according to law—there is one case, at all events, deciding that they have that power, virtually—to amalgamate with other companies. Rival companies have chosen to amalgamate and can do so without coming to the Legislature, and without getting any express power in that direction. I do not think that should be permitted. I do not think it ever was intended that a corporation empowered by Parliament to build and run a road in one section has a right, without express power from Parliament, to go and amalgamate with another line, which perhaps it was constructed and designed to compete with. The case to which I allude is one of great hardship. The municipalities of

the county of Simcoe granted a sum of nearly half a million dollars for the construction of the Hamilton and North-Western Railway. It was established to be a competing line, to a certain extent, with the Northern Railway. This Hamilton and North-Western road, having been aided by the Ontario Government, was constructed; it went into operation and continued to run for six or seven months, when, without any power on the part of the municipalities to interfere, they made an arrangement with the Northern Railway, so that the competing line which the people had subscribed this large sum of money to construct virtually fell under the control of the old road. That was done under the general power given in the Railway Act, and it has been decided by the Court of Chancery in Ontario that that arrangement was legal and could not be prevented. I desire to have it expressed, for the future at all events, that no such power can exist without an appeal to Parliament. I also propose to introduce what is known in England as the "Equality Clause."

MR. MACKENZIE: I would like to ask the hon. gentleman whether he proposes by his Bill to repeal the powers which various companies now possess to make precisely the same arrangements that was between the Northern and the Hamilton and North-Western Railways. That is not an amalgamation, properly speaking.

MR. MCCARTHY: No, I do not propose to interfere with any private Charter. I propose that, under the general Railway Act, there should not be power, as it were by aside issue and under colour of making a traffic arrangement, for companies to make an amalgamation, and that, if they desire to amalgamate, they should be obliged to come to Parliament, and get leave, and then it would be for Parliament to say whether it should be given them or not. I was going on to say that I propose to introduce what is known in England as the "Equality Clause," which gives railway companies power to alter their tariff from time to time but they must do so so as not to impose greater burdens upon one person than upon another, so that there can be no monopoly resulting. Although that has been the law for many years in England, it has never yet been intro-

duced into our Statute-books. There are one or two other provisions in the Bill but I may say there is nothing very novel in it. It proposes to be practically an enactment in this country of the English Statute of 1873, the history of which will be found in the Report of the Joint Committee of the House of Lords and the House of Commons of the preceding Session of Parliament.

MR. MACKENZIE: I would ask what arrangement the hon. gentleman proposes for the payment of such Railway Commissioners.

MR. MCCARTHY: With regard to that, the Bill is, of course, in a great measure, silent. That matter must be dealt with by the Government. There is no provision for their payment out of the Consolidated Revenue Fund, and, of course, there could not be by a private member. I propose that the Railway Commissioners may have authority, under the Governor in Council, to impose fees, and that out of the fees so imposed upon the litigating parties, there shall be paid such sum as the Governor-General thinks proper.

MR. MACKENZIE: My reason for asking about the payment is this: I think the hon. gentleman, if he proposes to impose tolls at all upon any of the companies must introduce resolutions in Committee of the Whole, upon which a Bill may be founded. Of course, it will not be competent for him to deal with the Consolidated Fund.

MR. MCCARTHY: I have not overlooked that, but I take it that the power to impose these fees may be granted, subject to the approval of the Governor-General in Council. At all events, if there is any objection of that kind, I will withdraw those clauses of the Bill.

*Bill read the first time.*

RIMOUSKI PIER.

QUESTION.

MR. FISET enquired, Whether it is the intention of the Government to restore and widen the pier at Rimouski, and make other improvements in the harbour of that locality.

MR. LANGEVIN: I have the honour to inform the hon. gentleman that the subject is under the consideration of the Government.

MR. MCCARTHY.

**PACIFIC RAILWAY — LAND COMMISSION.**

**QUESTION.**

MR. BLAKE enquired, Whether the Commission authorised last Session, on which the Imperial Government is to be represented, and in which are to be vested 100,000,000 acres of land and all the minerals they contain, for the purpose of constructing the Pacific Railway, has been appointed; if not, is it intended to appoint the Commission, and when?

SIR JOHN A. MACDONALD: The Commission has not been appointed, and the appointment has been deferred for the present.

**PORT HOOD WHARF REPAIRS.**

**QUESTION.**

MR. MACDONNELL (Inverness) enquired, Whether it is the intention of the Government to repair the public wharf at Port Hood, in the county of Inverness, or to build a new wharf at that place, and when?

MR. LANGEVIN: The matter has not escaped the attention of my Department, but no decision has yet been arrived at.

**POST OFFICE DISMISSAL—D. H. WATERBURY.**

**QUESTION.**

MR. DOMVILLE enquired, Whether it is the intention of the Government to pay Mr. D. H. Waterbury, late clerk in the post-office in St. John, the damages awarded him by a St. John jury, for improper dismissal and defamation of character.

MR. McDONALD (Pictou): Mr. Waterbury, a clerk in the post-office at St. John, was dismissed, and he brought an action against Mr. Dewe, the Post-Office Inspector. There is now an appeal pending from the Supreme Court of New Brunswick to the Supreme Court of Canada. It was inscribed for hearing, but was allowed to stand over the present term at the instance of Mr. Waterbury. As soon as the litigation is determined, the Government will consider the matter, and decide what shall be given him.

**BEAUHARNOIS CANAL.**

**QUESTION.**

MR. BERGERON enquired, Whether

it is the intention of the Government to widen the Beauharnois Canal?

SIR CHARLES TUPPER: It is not the intention of the Government at present to widen the Beauharnois Canal.

**CUSTOMS CONFISCATION OF KEROSENE OIL.**

**QUESTION.**

MR. BORDEN enquired, Whether the Government permits kerosene oil which has been confiscated for violation of the Customs, to be sold or disposed of for public use, without being first subjected to the fire-test required by law, and whether the Government is aware of a sale having been so made by an official or officials of the Customs.

MR. BOWELL: The Government does not permit kerosene oil introduced in violation of the Customs to be sold or disposed of for public use. One case came under the notice of the Government in which the Collector had sold such oil. As soon as it was brought to their notice, the Collector was severely reprimanded for having done so.

**WEIGHTS AND MEASURES INSPECTORS — REFUND OF SUPERANNUATION MONEY.**

**QUESTION.**

MR. OLIVER enquired, Whether it is the intention of the Government to refund to the Inspectors of Weights and Measures the amounts paid by them into the Superannuation Fund, previous to 1st October, 1879.

MR. BABY: Yes, it is the intention of the Government to do so—those who have acted as such, and who are proved not to be defaulters.

**FRASER RIVER, B. C.—LIGHT-SHIPS ON THE SAND HEADS.**

**QUESTION.**

MR. McINNES enquired, Whether it is the intention of the Government to place, this spring, a lightship or lighthouse on the Sand Heads of the Fraser River, B. C., to take the place of the lightship removed therefrom, last August.

MR. POPE (Queen's, P. E. I.): It is the intention of the Government to place a lightship in that place. The lightship that was there has been found unfit for use, and, in fact, is entirely ruined. The

Government has in contemplation to erect a lighthouse there, to be placed on iron piles.

#### CASCUMPEC HARBOUR IMPROVEMENT.

##### QUESTION.

Mr. HACKETT enquired, Whether it is the intention of the Government to expend a sum of money, this year, in improving the navigation of Cascumpec Harbour.

Mr. LANGEVIN: I have the honour to inform the hon. gentleman that the reports in this case have been laid before me, and they are now engaging my attention. I expect to come to a decision on the matter, and submit my report before the Estimates are brought down.

#### RIVER TRENT NAVIGATION WORKS.

##### MOTION FOR ORDERS IN COUNCIL.

Mr. KEELER moved for an Address for copies of all Orders in Council passed since the 1st day of May last, relating to the River Trent Navigation and Canal Works; also, copies of all reports of D. Stark, Esquire, Civil Engineer upon his recent surveys, examinations or enquiries respecting said Navigation and Canal Works. He said he had brought the matter of the Trent Navigation before this House last year in consequence of these works having been transferred by the last Administration to the Ontario Government, and he had obtained a special Committee to examine into the whole question and to take evidence respecting it. The Government had during the last summer sent engineers to make a thorough inspection of the Trent Navigation with the view of coming to a proper knowledge of the capabilities of this very important line of inland navigation. The object of this motion was to have the reports of the engineers upon the feasibility of the construction of the proposed communication and more particularly as to the supply of water for the Canal, brought down for public information and to take further action to promote the interests of the work.

Motion agreed to.

#### MANITOBA AND NORTH-WEST TERRITORIES LAND SALES.

##### MOTION FOR RETURN.

Mr. ANGLIN moved for an Order of the House for a return showing the

Mr. POPE.

quantities of lands sold by the Government of Canada in the Province of Manitoba and the North-West Territories, distinguishing the lands within each of the belts along the line of the Canadian Pacific Railroad, the prices at which the lands were sold, and the total amount of money received on account of such sales, up to December 31st, 1879; also, the cost of surveying these lands and preparing them for sale, and the cost of management generally; also, the quantity of lands in the Province and in the Territories, disposed of by free grant or otherwise, to the same date. He said: My object in moving for this return, is that the public may be enabled to learn how much money has actually been received for lands sold in the North-West Territories, from the day we became owners of that part of Canada, up to the end of last year, and so to be enabled to form some opinion as to the amount we may probably obtain in future by the sale of those lands, to be devoted to the payment of the cost of the construction of the Pacific Railway. Great pains have been taken, from time to time, to create the impression throughout the country, and indeed in this House, that a very large proportion of the cost of that Railway will be obtained from the sale of those lands. We had, last year, a proposal submitted to us almost dazzling by its magnificence. We were to apply to the Imperial Government for its cooperation in the management of those lands, asking it, in the first instance, to guarantee the loans we may require to negotiate from time to time, the money obtained by the Commissioners from the sale of the lands to be devoted to recouping the Imperial Government, or securing it against loss by reason of its liability on its guarantee. We have just learned that that project has not been carried out; that the appointment of a Commission has been deferred—I think we may safely conclude it has been indefinitely postponed;—that some other mode must have been devised, of raising the money for the construction of this vast undertaking. When we were invited to pass the resolutions for the admission of British Columbia into the Union, I and a good many other members thought that the conditions we were asked to accept were exceedingly onerous. We were asked to pledge

ourselves solemnly to commence that enormous work within two and complete it within twelve years. The resolutions proposed were adopted by the House, and afterwards embodied in the Royal Proclamation, and they so became part of our Constitution. Subsequently, a resolution was submitted to the House, I think by the late Sir George Cartier, declaring that, in accepting those terms, we did not mean to pledge ourselves to prosecute the work at any such speed as would impose undue burdens on the people of Canada, or increase the rate of taxation. But, when Mr. Dorion, then sitting on this side of the House, proposed, as an amendment, that an Address should be presented to Her Majesty, asking her to incorporate that proposition in Her Proclamation, hon. gentlemen on the other side of the House voted that amendment down, and the original bargain remained unchanged, binding us, so far as words could, to carry out its extraordinary terms. It has been said, this Session, that the hon. member for Lambton, when he acquiesced in what we know as the Canadian Terms, for the first time bound the Dominion to construct the Railroad, or a portion of it, within a fixed period. I confess that, although I knew such a statement had been made in various parts of the country, I was not prepared to hear it repeated in this House, so absolutely and plainly contrary to the facts of the case is it. When the resolution stating the Terms of Union was passed, I said that we were solemnly binding ourselves to carry out terms far too onerous; but, when the other resolution was proposed, I argued that we could not, by any subsequent resolutions of this House, or Acts of this Parliament, modify in the slightest degree the terms of the Royal Proclamation—that we could in no way release ourselves from the bargain we had made. My views, with regard to the expediency, the policy of constructing that Railway so speedily, never changed; but I felt that, if this Parliament and Government chose to undertake certain obligations, they should be carried out in spirit and to the letter, if possible, and that we should not endeavour to avoid—indeed, that we could not modify—that obligation by any subsequent resolution. But, in every bargain made, there are some implied con-

ditions which must always be observed, and the implied condition in that case is that we have the power to do what we promised. I think the people are now satisfied, that we have not the power to carry out the original bargain, made under the direction of the hon. gentlemen opposite, as the bargain which the hon. member for Lambton assented to, when, I suppose, under the pressure of the Imperial Government, he accepted what are known as the Carnarvon Terms. We are not in a condition to carry out the one bargain or the other. I think it is time—with enormous burdens already upon us, and an enormous deficit staring us in the face, and with the vast contracts entered intolately, with the rate of expenditure on the Railway rapidly increasing—to enquire seriously into our circumstances, and ask ourselves what means we have at our disposal for carrying the great burdens we are now incurring. Looking at the Public Accounts, I find that, before the 30th June last, we had spent about \$12,500,000 on that work; in that amount, I presume, no interest is included. I think the interest on all the money borrowed has been charged to our ordinary expenditure; and we have gone on from time to time, instead of charging interest to the work and so ascertaining what it really costs us, paying that interest out of revenue. Five per cent. is about as low a rate as we now get money for; at that rate the interest on \$12,500,000 would reach the enormous figure, for interest alone, \$625,000 a year, paid by the people of the older Provinces. The interest on the amount spent on this Railway from the beginning would reach, if the accounts were properly made up, to at least \$2,000,000 or \$3,000,000. How much of this have the lands of the North-West furnished during all this time? I am afraid that, when the returns come down, it will be found that the expenditure on surveys and management has almost swallowed the total amount we have received from the sale of the North-West lands. Last year, the influx of emigrants to the North-West was unusually large, and, perhaps, it would be as well if the amounts received in that year were distinguished from those of the preceding years. I find that last year nearly 2,000,000 acres were disposed of,

but I failed to find from the Report how much money was actually received. I notice, also, that the expenditure on account of those lands, for surveys, management, and so forth, was last year \$91,000. I think the people should have an opportunity of judging how much of the cost of the Pacific Railway they may expect as the product of the sale of the lands in the North-West. Rapid progress will never probably be made in portions of the West. Two large sections, completing the portion of the road between Thunder Bay and Winnipeg, have been put under contract, and the other two sections are far advanced; besides, 100 miles on the prairie, west of Winnipeg, are under contract. I think it will be found that, by the time the prairie portion is completed and equipped with rolling-stock, even that will have cost us a very large amount indeed; and there is talk of another 100 miles beyond being put under contract very soon. We also find another extensive portion of the Railway in the mountains put under contract. We have found that the actual expenditure on various sections far exceeds the original estimates, and we cannot, looking merely at the contracts, ascertain, with any degree of certainty, what the actual cost of these sections will be. Probably we shall have to add 25 to 50 per cent. to the estimated cost. We also have learned that a large amount has been spent on steel rails. The member for Lambton was charged with having purchased 50,000 tons of steel rails before they were wanted, and some hon. gentlemen who were too cautious to allege, as others did, that he was actuated by any improper motive, nevertheless objected that the rails were purchased when not wanted. I think the hon. member for Niagara (Mr. Plumb) laid down briefly and emphatically the doctrine that, however prudent it might seem, Governments should make no purchases which it was not absolutely necessary to make at the time.

MR. PLUMB: I said, in other words that Governments ought not to make speculations.

MR. ANGLIN: Yes, that puts the whole case in a few words; but we find that, within a short time past, the present Government has purchased some 50,000 to 60,000 tons more. These were purchased at a very low rate, and it was to

the public advantage that this purchase was made, but, nevertheless, it was made on speculation quite as much as that made by the late Minister. The Finance Minister borrowed last year some \$15,000,000; part of this was used to pay off old bonds, but some \$8,000,000 or \$9,000,000 is to be used in making payments on the Pacific Railroad. This is added to our present debt and for this we are paying interest, how much as yet I do not know, as I presume a portion of that loan is still in deposit, and bears interest. Our debts and liabilities are growing with extreme rapidity. Our gross debt on June 30th, 1879, reached \$184,000,000, and, even if we deduct \$36,000,000 of available assets, we have still left about \$150,000,000 of public debt. This debt has been increased by millions since June, and our liabilities have been increased enormously and yet, at this moment, I doubt if there is any hon. member on this, or on the other side, who has any clear idea as to the means by which we are to raise money sufficient to meet those obligations, as they accrue. We shall have to face a deficit, and the time is come when we should have some means of forming an accurate opinion as to the amount we are likely to receive from the sale of those lands in the North-West.

SIR JOHN A. MACDONALD: There can be no objection to the motion being adopted. The resolution covers a considerable quantity of work which will appear in the report of the Department of the Interior; however, a return will be brought down with all convenient speed. The hon. gentleman has entered into a discussion of the general policy of the Government in regard to the Pacific Railway. I do not think it would be convenient that we should on this motion enter into a discussion which will more properly arise hereafter.

Motion agreed to.

#### IMPORTATION OF TEA.

#### MOTION FOR STATEMENT.

MR. WHITE (Cardwell) moved for an Order of the House for a statement of the quantity of tea imported into Canada direct from the countries of production, either by the St. Lawrence or *in transitu* through the United States, for each six

MR. ANGLIN.

months, between 1st January, 1874, and 31st December, 1879, specifying by which route the imports were made. He said: I desire, Mr. Speaker, to amend the return so as to extend it back to the 1st of January, 1872, for these reasons: It will be remembered that, in 1872, I think it was, the Government introduced a measure making tea free. Subsequently, it was discovered that a measure had passed the Congress of the United States, placing a differential duty of 10 per cent. on all products east of the Cape of Good Hope, when imported from countries west to the Cape of Good Hope; the effect of which was to make tea sent from Canada to the United States, chargeable with 10 per cent. more than if it had been imported from the countries of production. Sir Francis Hincks, then Finance Minister, introduced a special measure applying the same principle, in so far as the imports of tea and coffee from the United States were concerned. That law remained in force until 1874, when it was repealed by the late Government. At the last Session of Parliament, it was re-enacted by this House under the advice of the present Administration. As to the object of the law, it was not so much to induce direct importation by the St. Lawrence as to place in the hands of Canadian merchants, as distinguished from New York merchants, the Canadian distributing business in tea and coffee. The tendency of the legislation of the last five years, I am informed, has been to destroy that trade to a large extent. By carrying the motion back to the year 1872, we will be able to determine pretty accurately the effect of the legislation in regard to the tea trade, and I have reason to think from the information which I have received, not from the Government, but from merchants, that the result will prove that the legislation of last Session was eminently in the interest of the trade of this country, a boon conferred upon the direct trade with countries of production.

MR. BURPEE (St. John): We have always understood that the object of the differential duty on tea was to divert the trade, if possible, to the River St. Lawrence direct from its place of growth. I venture to say that not one box of tea which has come into the country during the past year has come by the St. Lawrence. This trade has been done entirely by Ameri-

cans in New York, or through the instrumentality of Canadians doing business in New York. Thus the monopoly of the trade has been secured. The result of the present differential duty has been to fix the monopoly in one or two large centres of Canada, while smaller merchants in different parts of the country cannot go to New York and purchase their tea in bond without paying the additional duty of ten per cent. It is a direct protection to a few merchants doing a large trade, as against a large mass of traders in the smaller towns of the Dominion, and I venture to say that not one box of tea has come to Canada from China or Japan by way of the St. Lawrence, as was the intention when the law was passed in 1879, imposing an additional 10 per cent. duty on tea imported from the United States.

SIR SAMUEL L. TILLEY: The hon. gentleman is somewhat mistaken as to the object of the Government in passing this law. It was not simply to bring tea by way of the St. Lawrence. It was to transfer the trade from the United States to Canada. Under the operation of the law from 1874 to 1878, the wholesale trade was transferred to New York and Boston, and it was for the purpose of giving the merchants of Canada a portion of that trade that that law was enacted.

Motion, as amended, *agreed to*.

#### INVERNESS — DISMISSAL OF FISHERY OFFICERS.

##### MOTION FOR RETURN.

MR. MACDONNELL (Inverness moved for an Order of the House for a return showing the number of dismissals and appointments of fishery overseers and wardens, in the county of Inverness, during the year 1879, with the names of the same. He said: I am informed that, within the period specified in my motion, not less than eleven or twelve removals or dismissals of fishery overseers and wardens have been made in the county of Inverness. Three overseers were removed for causes which I know not, and so, also, were some eight or nine wardens. Why this "slaughtering of the innocents" took place in that particular county, I cannot understand, and I would be most happy if the Government, in making the return to the House, would show the number of dismissals, as well as of those



appointed within the period mentioned, and also, inform the House of the reasons why these dismissals were made. No doubt, Sir, some charges have been made against some of these officers. Mr. Rogers, the Inspector of Fisheries for the Province of Nova Scotia, visited that county, and, shortly afterwards, these changes were made in the ital of the fishery overseers. I am told, Sir, that that gentleman went through the county from officer to officer, and from house to house, making enquiries as to the particular side of politics to which these men belonged—not whether they were inefficient, but whether they voted for myself at the last General Election. This shows that the removals were made on account of the political complexion of the officers in question. I think that the House will be anxious to know from the Government what the grounds are upon which these removals and appointments were made. I have no doubt, as I have said, that certain charges will be made against them, but I cannot conceive that all these officers, some eleven or twelve in number, can be guilty of misconduct, unless it be sufficient misconduct in the eyes of the Government that they voted for myself.

MR. POPE (Queen's, P.E.I.): There is no objection to furnish all the papers asked for. I may say that there are a large number of fishery officers throughout the Dominion, most of whom receive salaries varying from twenty to forty dollars a year. This is not sufficient to pay them to devote much of their time to the protection of the fisheries, and many of them do not take the slightest trouble or interest in the matter, consequently the river fisheries in many places have been almost entirely destroyed. Instructions were given to the Inspectors, more particularly to those of Nova Scotia and New Brunswick, to make a thorough inspection throughout these Provinces, and to report to the Department, it being distinctly understood that every officer who would not attend to the proper discharge of his duty should be dismissed, but that no removals should be made on political grounds. All the dismissals in the hon. member's county were made on the recommendation of the Inspector of Fisheries for Nova Scotia.

MR. ROBERTSON (Shelburne): So far as I know, the vacancies which have

been caused by these dismissals have been filled up entirely from the Conservative ranks. In the constituency I represent, the principal fishery officer has been removed, and a strong Conservative appointed in his place, having no experience in the management of the fisheries or any other recommendation than his politics. The Inspector referred to may be regarded as a travelling missionary, cruising around as he does, preaching Protection in the interest of the Government.

MR. DALY: I can assure the House that, in each case where a dismissal has taken place, it has been necessitated by inefficiency on the part of the official. We know that the Inspector who has been referred to by the hon. member for Shelburne (Mr. Robertson), has been performing a good work this season. He has visited one county after another, and has attended to the duties of his office in such a way as to reflect credit on himself, and to present a favourable contrast to the conduct of the officer who occupied that position before him, and who distinguished himself only by the way in which he neglected his duties. I think if the Government were to dismiss the officers who occupy the positions of river wardens more generally than they do, the service would be more satisfactorily performed. There are men occupying these positions—I care not whether Grits or Tories—who do not discharge their duties efficiently; and I think, when their delinquences are brought to the notice of the Government, they should be visited with instant dismissal. I for one would very gladly commend the Government for dismissing a Conservative who holds such a position, if he fails to perform the duties devolving upon him. I think, in this instance, the Minister of Marine and Fisheries has done a good service, prosecuting, to the utmost extent, and visiting with severe condemnation those fishery overseers in the Province of Nova Scotia who have neglected their duties. The only mistake is that they have not gone far enough in that direction. I may say that the county of Inverness is not less remarkable for the way in which the fisheries have been encroached upon by the inhabitants than other counties. Under these circumstances, we should look for the appointment of fishery

wardens and Inspectors who will perform their duties without favour or fear of the inhabitants of the counties where the laws are disregarded.

MR. MACDONNELL (Inverness): I am glad to find that the hon. gentleman has paid such attention to the fishery interests of Inverness County as to be able to refer to them as he has done. He seems to possess a personal knowledge that the people of that county persistently violate the Fishery Laws. I am not aware that Inverness County is peculiar in this respect. I am certainly, however, at a loss to know whence the hon. gentleman gets his information. We have a very valuable river in the county of Inverness called the Margarie, upon which the officers of that county are chiefly located. I would ask the hon. gentleman who gives so much credit to the Government for their conduct in this matter if he is aware of any Tory overseers being dismissed in the county of Inverness, or in the Province of Nova Scotia, under the present Government. He says they were dismissed on account of their not performing their duties. I will say, without fear of contradiction, that it is purely on account of politics that these dismissals have been made, and that there was not a single man who voted for me that was not dismissed. That is the fact, and I reiterate that the Inspector, Mr. Rogers, an individual from Cumberland County, went through the county of Inverness and made the most particular enquiries as to the political complexion of those officers. He is not the only officer from the county of Cumberland who goes through the Province as a political agent. The people of that county cumber the whole Province of Nova Scotia with officials. We find them in all situations. The hon. member in this House for that county cumbres both the railways and canals of the Dominion. It may well be called the county of Cumberland. The Government is also chargeable with appointing several officers in Inverness County, and that purely in order to reward friends of the Government. I was often asked to appoint officers on some of the same streams, but I invariably refused to recommend the appointments, owing to the fact that it was a useless expenditure of public money.

*Motion agreed to.*

## KAMINISTQUIA RIVER—DEPTH OF WATER.

### MOTION FOR REPORT.

MR. PLUMB moved for an Order of the House for a report of depth of water on the bar at the mouth of the Kaministiquia, and return of soundings from thence to Neebing Hotel, as taken during the present winter. He said: It will be remembered that, in their wisdom, the late Government selected for one of the most important works to be built in this Dominion, namely, the Pacific Railway in the North-West, the Kaministiquia River as its present eastern terminus. A great deal of discussion in regard to the selection took place at the time, and many gentlemen on both sides of the House took part in the discussion. Evidence was taken as to the fitness of that place for such a terminus, and it was contended by the then Opposition that it was not a fit place. That discussion was carried on, not only in this House, but in the public press and on the hustings during the late election campaigns, but it was always insisted on by the head of the late Government and his party that that place was the best possible one that could be selected. It was, on the other hand, contended that a place where a vessel had to ascend four miles a stream from two to three hundred feet wide, with a shifting sand-bar at its entrance, requiring continual dredging, having great difficulty of access, and being closed by ice sooner in the fall, and opening in spring considerably later, than adjacent parts of Thunder Bay, was a very unfit place for the terminus. It was also contended that it was proper to erect this terminus upon a paper city—the town plot of Fort William—that it was proper to deflect the line of this Railway, and bring it down along the front of this town plot, along the banks of the river, when it is in evidence taken under the Commission appointed for enquiring into it, that there was equally good land to be had where it could be got a great deal cheaper, and without having to deal with fifty or sixty proprietors, who were associated with Messrs. Oliver, Davidson and Company original proprietors of the town plot, and then holding a large proportion of the lots. This town plot of Fort William was that

of a town which existed only in the vivid imagination of certain acute speculators, except that it was distinguished by three or four structures, rendered historical through the public press, for, after it was decided to select that terminus, a magnificent hotel was constructed immediately upon the line to be occupied by the Railway, for which the Government was obliged to pay \$5,200—the celebrated Neebing Hotel—only rivalled by the Windsor at Montreal, for accommodation to the travelling public. Well, Sir, there was a little doubt upon that side of the House which I had the honour to sit upon whether it might not have been well to secure the land for the terminus before it was given out that the terminus was absolutely fixed upon. Persons in their individual capacity, having their own personal interest in view, would have taken previous good care not to have given out that the site of the terminus had been determined upon before they had secured the land. By this omission, our late rulers committed the country to a purchase, the cost of which has swelled to nearly \$75,000 for some 90 acres of land in a wilderness, where the same quantity of land on either side could have been obtained for a tenth part of the sum. But the ways of Governments are strange and mysterious—particularly of Reform Governments. We never have been able to fathom the depth of the inducements which occasioned the selection; although it was easy enough to fathom the depth of the river in front of it, which is every year lessened by the wash from its alluvial banks, and will require constant dredging every year, as well as the bar at the harbour's mouth. It is most unfortunate that that place, of all others, has been selected for the great work in question. It is most unfortunate that any possible inducement, or any error of engineering, if it can be called an error of engineering—and I do not see how it can be so called—has induced the selection of such a place, a selection that has already caused so large an outlay, that its very cost seriously embarrasses those upon whom the construction of the Railway now rests in considering the question of changing it. I remember, on visiting Thunder Bay, entering it from the east, that, on rounding the cape, we

observed, five or six miles from the curve of the north-west shore, a cluster or group of low, small islands. Behind these islands and quite concealed by them, is a dip of marshy ground, through which the Kaministiquia debouches into the Bay—shifting sand-bars obstruct its entrance and render constant dredging indispensable, for its availability even for vessels of moderate draught. The banks of the river, composed of alluvial soil, are caving in with the pressure of the enormously thick ice formed upon its surface, and the whole course of the stream from the townplot downwards, is constantly filling up. Why the terminus of the Pacific Railway is there, the gentlemen on the other side of the House know better than we do. The land forming and adjoining the town plot belonged largely to an influential firm, one of whom was a member of the Ontario Legislature, until he resigned his seat to give place to a certain gentleman in Ontario, a member of the Local Government, who was in search of one, having been defeated in East Toronto. I do not mean to attribute anything wrong to Mr. Oliver, Mr. Davidson or Mr. Brown. They did but what they had a right to do: they owned a property, and they drove a profitable trade. When I sought an investigation into this matter, in the Committee of Public Accounts, years ago, I was informed by the then leader of the Government that I had taken a very violent partizan stand on this and other questions.

SIR JOHN A. MACDONALD: That is impossible.

MR. PLUMB: Certainly—I tried to do my duty fairly, upon public grounds, and to make no personal attacks. I said that that terminus had been selected by the Government. I charged that that particular spot had been selected. I charged that Mr. Sandford Fleming, in his sworn evidence before the Select Committee of the Senate, had stated that the Government selected that place, and that he, Mr. Fleming, did not select it. The late First Minister saw fit, as he was then at the head of the Government, which gave him a large majority, and as he was then attended in Committee by a large number of his obsequious supporters and *claqueurs*, to read me a lecture, in a way that seemed very unbecoming and

unprovoked, a way which he frequently adopts when he rises in this House to reply to or rebuke those who differ with him. I was discharging my duty on the Committee as a member of the Opposition, as I had a right to do. The hon. gentleman flatly contradicted my assertion as to who selected the terminus, and said that Mr. Fleming never said the Government had selected the Fort William Town Plot. I said he had said so, and I brought the sworn evidence of Mr. Fleming in entire corroboration of the statement I made. But I regret to say that the hon. gentleman, after reading me a severe lecture, had not the candour to acknowledge that I had made my point correctly, but took care to have his denial carefully reported and published. This question is of great importance to the country. The construction of the Pacific Railway under the present Government is perfectly certain. The work is to be pushed forward as vigorously as it can be, commensurate with due consideration for the resources of the country. The line is now rapidly approaching completion between Kaministiquia and Red River, and will soon be extended far towards the eastern slopes of the Rocky Mountains. It will soon be in a condition to test, to a certain extent, the capabilities of the country through which it is to pass; that gap which was to have been left while the notorious water-stretches were to be utilised is now to be filled by a continuous line from English River to Rat Portage. The water-stretches and the Fort Frances Locks, as to which the late Minister of Public Works so thoroughly committed himself and his Government, had been wholly abandoned by the late Government, long before it went out of power. When the railway line to Red River is completed, the embarrassment connected with this terminus will probably be more apparent than it is at present, but I do not know but that it may not be found, after all, that it is the right selection. It may be found, after all, that those who have criticised it may be in the wrong, and my object in moving this resolution now is to ascertain whether the enormous expense which has been incurred in dredging the mouth of the harbour and the river, in attempting to make both navigable for vessels such as will be required for the trade, has been successful.

I am anxious that it should be shown what are the capacities of this river for the great traffic which is sure to spring up at the terminus of the Pacific Railway. I hope also that we shall get from the Government during this Session a detailed account of the expenditure connected with the acquisition of land upon the town plot of Fort William, which I twice moved for when the late Government was in power, and failed to get. And I may say in this connection that, having sold all the river frontage of their paper city to the Government at town lot prices, the ingenious projectors, finding that possibly more might be got out of the rigid economists at Ottawa, extended the town plot and made a large addition to it in the adjoining township of Neebing, and sold hundred foot lots in that wilderness at fabulous city prices, as if there had not been enough pocketed in saddling an innocent Ministry with half of the lots in the town of Fort William. I have been informed that the traffic of this year, which has been confined to vessels carrying freight and supplies for the Government, and for Government contractors, small as it necessarily is, has been impeded by the want of depth of water on the bar and in the stream sufficient for those vessels that have been compelled to go up to, and deliver their cargoes at, Fort William. I understand that, on the 5th of November of this year, there was so much ice in the river, while all the bay about it was quite free, that it was impossible for vessels to go up to Fort William, or to get within hailing distance of that magnificent structure, the Neebing Hotel, whose attractions were thus offered in vain to the impeded and anxious traveller who was tantalised by the sight of the single stove pipe that towered and smoked an invitation from its lofty though unshingled roof. In a discussion here between the late First Minister and the present Minister of Railways and Canals, the former angrily disputed the statement that there was a difference in the closing of the harbour at the mouth of the Kaministiquia, and the closing of the adjacent harbours of the Bay by ice in the autumn, and its opening in the spring. I remember well when that discussion took place, and the manner in which the hon. gentleman opposite disputed the position of the

hon. the Minister of Railways, and that he produced a register showing the periods at which this river closed and opened, and showing that there was a difference of from ten days to three weeks between the opening and closing of the river and the harbour outside of it in favour of the harbour. Without dwelling further upon this matter, I desire to move for the information called for in my resolution, seconded by Mr. Dawson, who has a personal knowledge of the locality, and, from his long experience in the neighbourhood, and his knowledge as a practical engineer, will be enabled to give a much more perfect statement of the necessity for the information sought than I have been able to give. I know that the hon. member will be able to give this House more valuable information with respect to the transaction connected with the location, and in respect to the location itself, which I think has been characterised either by unnecessary haste or by needless waste, or by some other motive which I do not think it would be quite Parliamentary to specify by its true designation upon the floor of this House.

MR. MACKENZIE: I have no objection that the hon. gentleman should distinguish himself every Session, if he likes, by repeating pitiable slanders and falsehoods, which have been retailed in connection with this matter.

Some HON. MEMBERS: Order.

MR. MACKENZIE: I am in order. I say the hon. member has revived pitiable slanders and falsehoods. I am in order in saying so. I did not say the hon. gentleman himself tells any falsehoods.

MR. SPEAKER: I think it is not exactly Parliamentary.

MR. MACKENZIE: I cannot characterise the statement in any other way.

MR. SPEAKER: Does the hon. member believe that of the hon. member for Niagara.

MR. MACKENZIE: I do not, but I say he retails them. In the first place I am not to discuss the subject at length, or to follow the hon. gentleman. I would simply say this: that the site was selected by the Chief Engineer, that I agreed in the selection, that I concur now in the selection. I believe it was the best that could have been made, that the harbour and the river are the best, on the whole,

of the harbours on the lakes of that class. The creek at Buffalo, the river at Cleveland, the river at Chicago, and the river at Milwaukee are all of that class, the largest harbours on the lakes; and, curiously enough, I had a visit to-day here from a gentleman who sails the largest steamer on the lakes, the *Peerless* of Chicago, a vessel very much larger than the largest of the Canadian vessels, and she has been in that harbour repeatedly. He was in it this year when the water was 18 inches lower than its normal level, as every man must know who has any knowledge of the lakes, and even this year he was able to go in with his large ship, drawing eleven feet and three inches, showing that the stories about want of water are altogether untrue. I have seen captains of other vessels who told the same story. All this was fully known and understood at the time the selection was made. I believe it was made fully in the public interest. But the hon. gentleman says that he has not been able to fathom the inducements. Well, I challenge him to try and fathom any inducements that ever led me to do anything but what was in the public interest. I believe this was in the public interest, and I believe the present Minister will find himself confined to that selection if he consults, as I trust he will solely consult, the public interest also.

MR. DAWSON: I had no intention of taking part in this discussion, but I may remark that I believe the placing of our great railway on the Kaministiquia River was a mistake. It is a narrow and comparatively shallow stream, and the terminus is placed about five or six miles inland from the deep water of the lake. At the mouth of that stream there is a wide bay, across which a narrow channel has been cut. As to the *Peerless* entering there, she was not loaded at the time.

MR. MACKENZIE: She was drawing eleven feet three inches.

MR. DAWSON: That may be the report but I have heard a different report. I heard that she drew less than ten feet, but, if the hon. gentleman asserts, from better information, that she drew more, I do not wish to contradict him.

MR. MACKENZIE: The captain of a sailing vessel told me so.

MR. DAWSON: The report I heard was that she drew only ten feet, if so

much, and that, although so light, she stuck in the river and had to be towed through by a tug. There can be no question that it is a very narrow stream and the system of dredging that was pursued upon it is not one that will render it navigable. I believe the mouth of the river can be rendered accessible to vessels, but it will be on an entirely different scheme to that which has been followed hitherto in dredging it. It is inconvenient in many ways. Two vessels would hardly have room to pass in such a narrow stream; but what was the necessity of deepening it? There is an excellent harbour near it. A great deal has been said about Thunder Bay by the rival parties, one supporting the river, and the other Prince Arthur's Landing. It is said by interested parties that Thunder Bay is exposed to storms. We have, however, the best proof that it is not, in the fact that, within the last ten years, the official returns show that 2,200 vessels have visited Thunder Bay. They have come and gone in weather of all kinds, in the storms of the fall and in the ice of spring, and not so much as a single accident has occurred; not a single vessel has been damaged. Now, as the proverb hath it, "the proof of the pudding is in the eating of it," and a harbour which shows such a record as that must certainly be a good harbour. As to the reports of engineers, the only one who ever reported in favour of the Kaministiquia was Mr. Kingsford. After the mischief was done, long after the improvident selection had been made, he went up and made a sort of report, but I believe the Chief Engineer of the Canadian Pacific Railway utterly denied that he recommended it.

MR. MACKENZIE: He did not.

MR. DAWSON: But I have been told that he stated before a Committee of the other House that he was not responsible for the selection.

MR. MACKENZIE: He did not.

MR. DAWSON: I think, in a letter which is now published, he says he was not responsible himself, or something tantamount to that, and he says also that Mr. Hazlewood, who was then Resident Engineer was not responsible for the selection. I know that none of the other Engineers will assume the responsibility

of placing the terminus there; they all consider it inexpedient.

MR. MACKENZIE: Will the hon. gentleman allow me to ask who were the Engineers that said this.

MR. DAWSON: Every Engineer of any standing who has been there.

MR. MACKENZIE: Tell us the name.

MR. DAWSON: I do not know that I should name the gentlemen in this House. I say that, of all the Engineers who have been there in charge, none would assume the responsibility of the selection.

MR. MACKENZIE: Did they say they would not?

MR. DAWSON: I wish to reflect upon no one, nor to say anything harsh in regard to any person, but merely to convince the House that a very great mistake has been committed in placing the terminus there, and one which if, it is persevered in, will involve the country in a very large and unnecessary expenditure. This harbour closes up early in the fall. It is not the water of Lake Superior, but the water of a mountain stream, which in the first place runs over rapids, where in frosty weather it becomes chilled, and then it subsides into a sluggish stream, and freezes with the first hard frost; whereas, in Thunder Bay, there are currents, and even tides, from the great open lake, and it does not freeze until winter is far advanced. On the 7th of January last, Thunder Bay was frozen only to the distance of one mile from shore, and that is an important matter as regards the navigation of Lake Superior. That lake can be navigated during a great part of the winter, for it is always open outside the headlands, and terminal harbours could be kept open by means of steam vessels adapted to passing through ice of moderate thickness. In view of a railroad to Sault Ste. Marie, and the practicability of navigating Lake Superior, for at least a part of the winter, the absurdity of placing the terminus of our great Railway five miles inland, on a narrow shoal-locked stream, which closes with the first hard frost, must be apparent to anyone who bestows the least attention on the subject.

MR. PLUMB: Since the question has arisen, with respect to the selection of the Kaministiquia River and Fort William

town plot, I have procured the Journals of the Senate for 1877. There was a Special Committee appointed to enquire into the purchase of the property at Fort William, for the terminus of the Canadian Pacific Railway. I find that Mr. Fleming was the first witness examined, and I will read now a portion of his evidence :

“Question. When Fort William was fixed upon as the terminus, did you expect the ground would cost any considerable sum? You saw what it is said to have cost—over \$51,000—did it strike you as being an extravagant price? Answer. I was very much surprised to see it.

“Question. Who selected the terminus point; who located it? Answer. The Government selected it.

“Question. But who located that particular point? Answer. The Government selected the terminus of the Pacific Railway on Lake Superior.

“Question. Who selected the particular piece of ground? Answer. I did. I recommended that particular piece of land shown on the plan before the Committee, coloured red, as the land required for the Pacific Railway.

“Question. Did you do that under the instructions from the Government? Answer. No. The Government selected the spot where the Railway should terminate, and I recommended that all this land (pointing to the map where it was coloured red) should be secured for railway purposes. The Government selected the spot where the land should be secured.

“Question. Who staked it out? Answer. I do not know; the land was marked out before these lots had already been in existence. The plan of survey had been previously made by the Ontario Government.

“Question. The town plot was surveyed and laid down on the map; the Government fixed upon the town plot as the terminus; and Mr. Fleming recommended a certain portion of the town that should be taken for the terminus? Answer. Quite so.”

I would say now, once for all, that the hon. gentleman on the other side, always, and everywhere, makes the same statement that he has been making now, sometimes with more temper and sometimes more calmly, but he usually flies into a temper whenever he is in the wrong. I think I have now proved to the satisfaction of every man in this House that my hon. friend opposite was a little mistaken in his statements, in what he pleases to call facts. I trust that I shall not be compelled, as I have been twice before, to bring this book to corroborate statements, which I knew perfectly I was right in making, when the hon. gentleman chose to brow-beat me in the Committee of Public Accounts on a previous occasion, and a time when he

swayed this Government in a manner much more tyrannical than courteous.

MR. MACKENZIE: I am quite sure I may leave it to every fair-minded man in this House, if the hon. gentleman has made out his point. Mr. Fleming very deliberately states that he selected the land; indeed, I recommended, in the first place, going higher up the river, going above this point several miles, because I believed the river would ultimately—as I still believe it will,—be the great harbour of Lake Superior, and I saw no necessity for bringing the railway so far down as the points located by Mr. Fleming. I believe we could reach the river higher up and save some miles of railway; making it even where we did saved five miles by not going to Prince Arthur's Landing. The whole evidence will show, if read carefully, that what I state is absolutely correct. The Engineers reported that the banks were high above the point selected, and it was necessary to come down to this point in order to obtain the necessary rock elevation, and the evidence the hon. gentleman has read entirely bears out what I have stated.

MR. DAWSON: No distance would have been saved by going further up the Kaministiquia, but to the eastward of where the railroad now is the Ontario Government has recently run a colonisation road through a level country. Had the Railway been located near the same ground, the costly bridging and embankments at gullies on the borders of the Kaministiquia would have been avoided, and the lake would have been reached in about the same distance that had to be overcome in reaching the present inland terminus. There are other good harbours on Thunder Bay to the eastward of Prince Arthur, any or all of which are far preferable to the Kaministiquia.

MR. TROW: The member for Niagara (Mr. Plumb) should have been satisfied with the evidence given before the Committee of the Senate, on this subject, last Session. We had the evidence of several captains or masters of vessels, who had sailed over that line, several of them, for a quarter of a century, and who stated that the place chosen was the best possible harbour that could have been selected. Not only did Canadian lake-captains give such testimony, but United States sailors and masters of

MR. PLUMB.

vessels, corroborated that assertion. I am surprised that the member for Niagara does not treat the House to some little variation when discussing this subject, instead of a continuous rehash about the defects of the Kaministiquia harbour. The river I know, from personal examination, is not as narrow as represented by the hon. member. It is true it is a sluggish stream three or four hundred feet in width, and deposits but little, if any, *débris* at its mouth, as stated by that hon. gentleman. I have seen the place with parties who understand the nature of the soil on the bar; instead of its being a moving sand, as stated by the hon. member for Niagara, it is blue clay, and, if taken out, will remain so; nothing scarcely has filled in since the dredging was made. All it requires is more extensive dredging. The bar which the hon. member represents as moving sand is as old as the Falls of Niagara, and will remain permanently if only sufficiently enlarged. It is too narrow at present to enter with safety during rough weather. The harbour of Prince Arthur's Landing is dangerous, being an open lake of twenty-four or twenty-five miles in length, by twelve or fifteen in width, having no shelter, and getting the whole swell from the lake when winds from the south prevail, through the wide gap or entrance at Thunder Cape. It is often so rough as to be dangerous to enter the harbour. I was in a vessel on one occasion, when the Captain had to keep the vessel three hours in the open Bay, before venturing to enter the harbour. I am satisfied that the Kaministiquia Harbour is by far the safest and best selection that could be made.

MR. BOWELL: If that is the case, if the hon. gentleman could not enter the harbour for three hours, how could he have entered the mouth of the Kaministiquia River?

MR. TROW: The approach to the river is very much sheltered by Pie Island, and not subject to the enormous swells that flow through the gap of six or seven miles in width between Thunder Cape and Pie Island.

MR. MACKENZIE: It was not I in the first instance who sent an engineer to survey that route. It was the late Administration. When I came into office

I found that Mr. Murdock had gone there, and had at first surveyed the line as nearly as possible in the present direction, and it was from his survey that Mr. Fleming made the map in the winter of 1874, that was sent up to the proper office to have the lands registered as required under the Railway Act.

Motion *agreed to*.

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

### After Recess.

#### QUEBEC AND LAKE ST. JOHN RAILWAY COMPANY.

##### MOTION FOR CORRESPONDENCE.

MR. VALLÉE moved for an Address for copies of the documents and correspondence which have passed between the Government of Canada and the Directors of the Quebec and Lake St. John Railway Company. He said: I shall avail myself, Mr. Speaker, of the opportunity which this motion affords me to raise my voice once again in favour of the opening up and colonisation of the Lake St. John Valley. I am aware that it is difficult to deal with this matter in this honourable House, for, at the first sight, the question appears to be one rather of local than of general interest; and I have in this respect to contend, I will not say with prejudices, but with opinions which have been formed too hastily and without sufficient examination of the subject. If the House will kindly grant me a few moments attention, I shall briefly submit some remarks which will show that it is a right, I will even say the duty of the Government, to contribute largely to the developments of the Lake St. John Valley. That tract includes a vast territory, but access to that territory is difficult to a degree. True it is that the Local Government has under its control the colonisation of Crown Lands in the Province of Quebec, but it is also true that it is the duty of the Federal Government to direct its attention to immigration, with a view to populating the territories of Canada. The Lake St. John tract may be regarded as the granary of the east. We constantly hear of the peopling of the west, it being regarded as the future grain producer, destined to yield, not only to Canada but also to foreign countries, a wonderful quantity of wheat and grain of other descriptions. It



is well to encourage and to promote the colonisation of these new territories which we have acquired, but there is a danger to be avoided. It must be remembered that, from the earliest days of the settlement of the Red River country, and of Manitoba, the harvests have on occasion, been completely destroyed by disastrous scourges. Should a large tide of emigration be directed towards the west, it is to be feared that the early resources of that country will prove insufficient, and that if similar, disasters to that already experienced, in the shape of a failure of crops, should occur, the population would suffer from famine. Now it seems to me that we may provide against this peril by taking steps to develop the Lake St. John territory. It may appear strange that I should bring forward this circumstance in support of my argument but, if I do so, I do it with the object of promoting the colonisation of our wild and uninhabited, but fertile lands, and thereby of providing food for the population, not of Canada only, but of Europe, where similar disastrous failures of crops from time to time occur. At the present time we learn from European newspapers that the wheat crop has completely failed in the most fertile districts of Russia, and that a famine is now raging there. Sir, the same thing may occur in Canada; it may be that that great development which is being encouraged in the west, at the cost of the east, may later be fraught with disappointment. And, should a famine occur in the west, what means have we at our disposal with which to meet the evil? I feel it, therefore, my duty to call the attention of the Government to the matter, with the view of preventing the lamentable results of such occurrences, and the means to be adopted is to provide as much as possible the colonisation of territory in the east. I need not, Sir, point out that this question is within the jurisdiction of the Federal Government, for, in fact, it comes within the scope of the powers of both Governments, and should engage the attention of both the Federal and Local authorities. But the Local Government of the Province of Quebec has exhausted its resources in the construction of great railways, which facilitate the travel of emigrants and the exportation of the produce of our country. The Lake St.

John Railway Company, a private company founded by earnest persons, has undertaken the opening up of the magnificent and fertile territory of the Lake St. John Valley. A part of that railway has been built, and the works are at a standstill, for want of means to carry them to completion. Financial difficulties, from which the Local Government has suffered, has prevented it from extending aid to the undertaking. Let it be here remarked that that Government has expended large sums in order to place the Province of Quebec in communication with the rest of Canada, and, in so doing, has rendered great services to the whole Dominion. While the Federal Government yearly devotes considerable sums to the improvement of communication between the west and other parts of our country, should we not, at the same time, apply a reasonable sum to drawing to our midst that French Canadian population which has emigrated to the United States and which has there undergone the suffering which has been common to all? Some years ago a sum for the repatriation of Canadians in the United States was voted, but, unfortunately, that sum no longer appears in our Estimates, and, Sir, I think it right to call the attention of the Dominion Government to this question, and to request them, on behalf of my Province, to promote that repatriation by granting a sum for the development of the Lake St. John Valley. The means by which that district is to be opened up and brought into communication with our great centres is the construction of a railway. I will adduce a further argument, a wider one: I mean one more plainly bearing on the case from a Dominion point of view, and one which will, I think, convince the House. It is this: large sums have been expended for the construction of the Intercolonial Railway, which extends to Quebec, and which is connected with the great system of western railways by the Quebec, Montreal, Ottawa, and Occidental Railway built at the expense of the Government of Quebec. The Lake St. John Railway, when completed, will connect with the Intercolonial, and will, therefore, in accordance with the principle laid down by the Mackenzie Government, have a right to claim assistance from the Dominion Government. We have seen local lines

in the Maritime Provinces encouraged by the Government, because they connected with that great national work, the Intercolonial Railway. I may now adduce the same argument in favour of the building of the Lake St. John Valley Railway. Strong in that precedent, I say to the Government: If, for the time being, you cannot directly give us a sum of money to assist us in building this railway, you can aid us indirectly by placing on the Estimates a sum of \$50,000 for the repatriation of our countrymen, and the Lake St. John Railway Company will undertake in each year to settle a certain number of Canadians, who have been restored to their country, on the lands in the district of Lake St. John. This is a work which I may well suggest and recommend to the Federal Government. I am well aware that a question of money is one beset with difficulty for any Administration, but I think I am fairly entitled, on behalf of this Railway, to ask at least for the favours which have been granted to the Nova Scotia Railways. You have still old rails removed from the Intercolonial Railway at your disposal. Well, grant us a portion of them, and I promise you that we shall carry out our engagements towards the Government, and return them or pay you the price or value as faithfully as Nova Scotia. If there is no possibility of our getting direct aid in money from the Government for this object, we ask to be helped in the manner I have just suggested. Last summer, we were honoured by a visit from the hon. the Prime Minister and the hon. the Minister of Railways. They came to examine our works and to judge and see for themselves as to our efforts to open up that district. They saw a portion of the country and greatly admired it. They then promised to assist us so far as the Dominion Government would permit them to do so. Mr. Speaker, a favourable opportunity is now offered, and, if the Government desire to give effect to the project I now submit to them for the repatriation of our fellow-countrymen, let them give us some little aid towards completing the Lake St. John Railway. If I am blamed for asking aid for purely local work, I answer without hesitation or fear, that, when we grant money for buildings in any particular locality, or

for particular railways—say the Canada Central, or for the improvement of certain rivers in Ontario—no doubt such works are carried out only in one Province, but we vote the money because it will produce good results for the country generally. This is the fact as regards the Lake St. John Railway. It will be of great use, in the first place, to the Intercolonial Railway, and then, in a general sense, to the Dominion of Canada, inasmuch as it will open up for settlement a vast tract of territory, capable of supporting a large population, a territory which will one day become a vast granary and serve to shield us from famine in the event of a failure of the crops in the west. I shall say nothing more on this point at present, as I shall have occasion to refer to it again during the course of the Session, but I have confidence in the generosity of the Government, and I hope the hon. the Minister of Railways will see that this understanding is destined to be of great service to the Dominion and that it is, therefore, entitled to receive aid and support.

Mr. CIMON: The hon. member for Portneuf (Mr. Vallée) deserves the thanks of this House for having brought before us this important question of the railway from Quebec to Lake St. John. The hon. gentleman has already for several years agitated that question, which is a deeply interesting one, both for the whole Dominion and for the Province of Quebec. In the capacity of editor of one of the most important newspapers of the city of Quebec, he has made the public aware of the great importance of building the railway. If any subject in relation to the Province of Quebec deserves the special attention of the Dominion Government it is surely the question of this Railway; for it is destined to open up for settlement one of the largest territories in the Dominion of Canada. The Lake St. John district, considered in relation to its extent, is far larger than the Province of Manitoba itself; it is a territory capable of containing and supporting a much larger population than Manitoba. One of the great objections urged against the construction of this Railway, and specially against the Lake St. John territory, is that that part of the country can never bring any contributions to the Dominion

Treasury. Now, that objection is perfectly futile, and was simply raised as a motive for refusing aid to the undertaking. If we look at the statistics and at the returns of the Customs at Quebec, we shall find that that territory deserves the consideration of this House. A reference to the statistics shows that the number of vessels, transatlantic and home trade, entered at the various ports of the Saguenay represents a tonnage of 1,577,760. These returns show, therefore, that the ports on the Saguenay river stand in the third rank in the Province of Quebec. First we have Montreal, then Quebec and next the Saguenay River, classed as to their respective importance in this sense. This fact is conclusive and deserves the special attention of the Government of the Dominion. If so large a number of vessels have traded with the Saguenay district, it is evident that a large amount of revenue must have accrued to the Dominion Treasury. Last summer, the public heard with pleasure the remarks made by the hon. the Prime Minister and the hon. the Minister of Railways when they visited the city of Quebec and travelled over that portion of the Railway which is in operation. Those hon. gentlemen expressed themselves as favourably disposed in relation to the construction of the road. Those words were read with satisfaction throughout the Province of Quebec; the hon. gentlemen were thanked for them, and we trust they will carry out what the people expect of them. I shall not detain the House any longer in relation to this matter and I shall in conclusion again thank the hon. member for having this evening placed this question before the Government of the Dominion. I thank him sincerely for the active part he has taken as to this question.

MR. LANDRY: I desire to give the support of my feeble tongue to the eloquent remarks made by my hon. friends the members for Portneuf (Mr. Vallée) and Chicoutimi (Mr. Cimon), and, together with them, to plead before the Government for the construction of the Lake St. John Railway, and for the settlement of that immense and fertile valley, destined by nature to become the well-filled granary of the Province of Quebec—truly a noble cause to advocate. Nevertheless, if I may be permitted, I will at once correct an

error into which my friend the member Chicoutimi has fallen: quite involuntarily I am willing to believe. Statistics in hand he has sought to prove to the House that the Saguenay ports' held the third place in respect to commercial importance, ranking immediately after the ports of Quebec and Montreal. Such is the allegation of the hon. member; but what has he to say about the port of Montmagny? He has evidently overlooked it in his researches, otherwise he would have given to the harbour of Montmagny the importance it deserves, and the Saguenay ports would only have held the fourth place. But the question before us concerns more important interests, to which special interests must naturally give place. I unreservedly adopt the view taken by the two members who have just spoken, and I hope the Government will understand the full importance of the question now submitted for debate. There is a consideration which my hon. friends have not treated of at length, which ought, as it seems to me, to have its justification here, and that it should not be lost sight of. It places the question on a much wider basis, by giving it all the importance of a matter which no longer concerns a single Province, but the whole Confederation. Now this consideration, Mr. Speaker, may be stated as follows: The North Shore Railway is destined inevitably to become a portion of the Pacific, an indispensable link in this great iron highway. From the various surveys which have been made up to the present day in order to run a line and locate the Lake St. John Railway, the fact has been ascertained that it is possible, if I mistake not, to construct a branch starting from some point near Batiscan, reaching the head of Lake St. John, encircling this Lake with its girdle of steel, crossing the immense valley which surrounds it, and coming south by way of the Ste. Marguerite River Valley as far as Tadousac. The last named place would become the terminus of the Pacific, and, nature having made it a winter port, we should have at every season of the year the most direct and shortest line from the Atlantic to the Pacific. In this aspect, Mr. Speaker, I think that it is the interest, not only of the county of Chicoutimi, but of the Province, of the whole Confederation to support the

scheme proposed by the hon. member for Portneuf. It is also my hope—I might say, further, that it is my conviction—that not only will the members of the Province of Quebec, but also the members of the other Provinces, friends of their country and of its prosperity, unite in a common effort, to exercise for its benefit their salutary influence upon the Government of the present day, so as to cause it to make accurate surveys, in order to determine to the satisfaction of all the important question now submitted for our consideration.

SIR CHARLES TUPPER: I have a lively recollection of a pleasant visit to the locality indicated by the hon. gentlemen who have just addressed the House; and I think I have a clear recollection of guarding myself, as I would be in duty bound to guard myself, under any circumstances, from making any very positive pledge in relation to any aid to this important line of railway. I am the more inclined to think that I was tolerably careful, because, if I had committed myself to the extent that the gentlemen who have so eloquently addressed the House in favour of this railway would seem to indicate, they, being masters, as they are, of the English language, as well as the French, would have been apt to remind me of my promise in language I could understand. I need not say that any person who knows anything of the section of country that is indicated between the city of Quebec and Lake St. John must be quite aware of the great importance of such a line of road in the development of, perhaps, one of the finest portions of the Province of Quebec, and, I think I may safely say, one of the finest sections of country to be found in any of the older Provinces. The advantage of such a road would be, not only in the general development of the country, but as opening up a most inviting field for emigration and colonisation in the Province of Quebec; the importance of such a line of railway would be adding greatly to the volume of trade of Quebec Harbour, and promoting business over the Intercolonial Railway, of which it would form a most important feeder by the connection by the ferry, with the terminus at Point Lévis. This would, no doubt, make this line of communication one of great im-

portance to the whole country, and one which it would be greatly in the interest of the country to promote by every means in our power. I am afraid, however, that the large claims upon the Government for railway construction, claims that press more immediately upon it, and that are of a character that cannot well be postponed, will make it extremely difficult for the Government to give such aid as it would be really in the interests of the country to give to the line under consideration. I can only say that the communications that have been made to me, and to the Government, in relation to this important work, have engaged my attention, and that I shall, at an early day, bring it formally under the notice of my colleagues, with the view of giving a definite answer to the communications which we have received on the subject.

Motion agreed to.

#### CIVIL SERVICE—INSIDE DIVISION.

##### MOTION FOR RETURN.

MR. MUTTART moved for an Address for a return of the Inside Division of the Civil Service, by Departments, showing:—

1st. A list of employés appointed from the several Provinces composing the Dominion, from July 1st, 1873, to the present date; also, showing the proportion in which these Provinces are now represented in the Service.

2nd. A list of employés appointed from countries other than Canada, since Confederation, showing the nationality of each, how long resident in Canada previous to appointment, and present salary, if now in the Service.

He said: My object in making this motion is that, when the Civil Service Bill comes up for discussion, I may be in possession of such information as will enable me, as a representative of Prince Edward Island, to discover whether certain complaints respecting the Inside Civil Service are correct or not. I am of opinion that the Island Province is not represented in this Service as she ought to be. As the Island now forms part of the Dominion, it is nothing but fair that she should be represented in the Inside Civil Service according to her population. If we put down the population of Canada at four millions, and the population of Prince Edward Island at 120,000, then the population of the Island is about one thirty-third part of the Dominion. There are, I believe, over 600 positions in the several

Departments in Ottawa. The one thirty-third part of 600 would be about eighteen, and this number would represent the share to which the Island is entitled in a fair distribution of the offices in the Inside Civil Service. Another object which I have in view in asking for these returns is this: it is stated that a great many of our best offices with the largest salaries are filled by those who are not Canadians. It is stated that in some of the Departments more than half the employés are imported from abroad. If this be true, it is surely time for us as Canadians to know the fact, and to take some measures that will prevent this injustice to our own people. We do not expect the Government to dismiss worthy and efficient officials of the present staff, but we hope, in the future, in the working of the new Civil Service Bill, the foreign element will be dispensed with. While we are trying to protect our native industries it is nothing but fair that we should endeavour to protect our native talent. It is hoped that in the new Civil Service Bill the motto "Canada for the Canadians" will be duly considered.

Motion agreed to.

#### GRAIN IMPORTS FROM THE UNITED STATES.

##### MOTION FOR RETURN.

MR. CAMERON (South Huron) moved for an Order of the House for a return showing the quantity of wheat, oats, peas, barley and corn, imported from the United States from the 15th March, 1879, to the 1st day of February, 1880, together with the duty actually collected on each kind of grain, and the quantity of wheat and oats in bond on the 1st day of January, 1880; and also a copy of all bonds now existing and held by the Government in respect to wheat and oats. He said: I should like the Minister of Customs to make the return by Provinces. It was suggested by several hon. members that this would be more satisfactory than an aggregate return for the whole of the Provinces. I may also say that I do not want a copy of all the bonds, because, if there are many of them, it would make the return too voluminous, and prevent its being laid on the Table in time to be of any service in the discussion that will undoubtedly take place this Session, on the proposed amendments to the Tariff.

MR. MUTTART.

If the hon. gentleman will make a copy of any one bond—if there is such a thing in existence. I do not know whether there is or not—and furnish me with the names of the obligors to the other bonds, all the purposes I require will be served. All I know about the matter is that which I saw in a newspaper last August. One of the journals in Western Ontario, published a letter signed by "A Miller," drawing the attention of the public to the fact that some Orders in Council had been passed by the Government, under which certain large millers were entitled to import into Canada from the United States, wheat free of duty or in bond, and also allowed a year in which to make their returns. At the end of the year, they either had to pay the duty on the wheat so imported, or account for its equivalent in flour that had been exported. The two firms alluded to in the letter in question, as having had some understanding or agreement with the Government, with respect to the matter, emphatically, distinctly and positively, over their own signatures, denied that such an understanding or agreement existed. A few days afterwards, I saw in the same paper what purported to be a copy of the Order in Council under which millers were permitted to import wheat as originally charged by the correspondent. This Order was dated the 10th July, 1879, and it confirmed the statement that was made by the person who wrote the letter signed "Miller." It is, of course, desirable that the information in reference to this matter should be obtained before a discussion takes place upon other questions that will undoubtedly come up before the House, in connection with the discussion that must follow the proposed amendments of the Government to the Tariff. I therefore desire that these returns be brought down at an early day.

MR. BOWELL: There is no objection to change this motion as suggested by the hon member for South Huron (Mr. Cameron). If he looks at the motion carried, moved by the hon. member for St. John, N. B., (Mr. Burpee), he will find that gentleman asks for a return of the different grades of wheat, peas and barley and that too by Provinces. I should like it to be understood that we should take these two returns and combine

them in one, as there is scarcely any necessity for duplicating them. The Government is most anxious to give the hon. gentleman all the information he requires, and I am quite satisfied that, if he had paid a little attention to and read the *Official Gazette*, he would have seen the Order in Council to which he refers. The hon. gentleman has based his statement on articles published in newspapers opposed to the whole policy of the Government. I am well aware that a charge was made that the rules had been relaxed so as to admit grain from the west into this country free. The names of the millers were also indicated, who it was alleged were the favoured parties, and these gentlemen, over their own signatures, denied at the time the charge was made, that they had imported a bushel of wheat since the new Tariff came into force. The hon. gentleman will remember that, during the discussion on the question of the Tariff last year, it was distinctly stated by the Finance Minister, on behalf of the Government, that every facility would be afforded to millers in different sections of the country to import grain from the west, and grind it in bond, and subsequently export it. I will also, in bringing down this return, attach the affidavits in reference to the exportation of the wheat so bonded, or its equivalent in flour. The bonding system was also discussed very freely for a long time, when the question of the Tariff was under consideration. It seems to me that, after the party opposed to the policy of the Government had found that the mills in the western section of the country were not shut up, they made an attempt to convince the farmers, particularly those in the west, that the Government had practically so relaxed the Tariff as to repeal the duty that had been placed on wheat, without indicating to Parliament the fact that they intended to allow grain to be imported and manufactured in bond for exportation, even if there were reasons for opposing the bonding system. I repeat, it was distinctly understood when the Tariff was under discussion, that, in order to encourage the manufacturer of flour and meal in this country, grain would be permitted to be entered and manufactured in bond on the parties giving bonds that that grain, or its equiv-

alent in flour or meal, should be exported from the country, or duty paid upon it. The Government has no objection to this motion passing; and the House will find, when the return is brought down, that the Government has not exceeded, in any one particular, the promises made when this question was under discussion last year.

MR. ANGLIN: This matter attracted my attention at the time there was so much discussion about it in the newspaper press, and I think I read the Order in Council also; and, unless I am mistaken, the hon. the Minister of Customs has not put the matter fairly before the House in the statement he has just made. The objection is not that American wheat is allowed to come into this country to be ground. The complaint is this: that just at the time when the Canadian farmer, who happened to hold any wheat on speculation, had a right to expect that he would get a larger price for his wheat—because of the insufficiency of Canadian wheat and flour in the country for the home demand—at that very time, some large millers were allowed to introduce American wheat into this country, and place the flour made of it on the Canadian markets without having paid any duty thereon. They were permitted, by the terms of their bond, to grind other wheat when the new harvest had come in, and the price of wheat had fallen. They derived an advantage from being allowed to grind wheat of the new crop, for that which they imported, when there was a scarcity of the wheat of the old crop, and farmers would have obtained higher prices had no flour made of American wheat been allowed to enter the Canadian market without paying duty. Now that is an entirely different state of things from what we were led to expect last year. The Premier, in reply to some observations made at that time on this side of the House, stated most emphatically and in the strongest language, that while the Canadian farmers had a bushel of Canadian wheat to sell no other wheat would be allowed to be consumed in Canada, unless it paid duty. The whole spirit of the National Policy as propounded last Session, as far as it affects the farmers of this country, has been deliberately disregarded and violated by the very men

who claim the credit of having protected the farmers and the farmers' interests.

SIR SAMUEL L. TILLEY : Oh.

MR. ANGLIN: The hon. the Finance Minister may laugh, but that will not alter the matter in the least.

Motion, as amended, *agreed to*.

#### ONTARIO NORTH - WEST BOUNDARY.

##### MOTION FOR COPY OF AWARD.

MR. CAMERON (South Huron) moved for a duplicate or copy of the award respecting the North-West boundary of Ontario, and all documents and papers relating to such boundary, and all correspondence between the Government of Ontario and the Dominion Government on the subject of such boundary. He said. At the close of the last Session of Parliament, I enquired of the First Minister whether he was prepared or not to lay on the Table of the House a copy of the Award respecting the North-West boundary, and any Order in Council or papers in the possession of the Government in relation thereto. The answer he then made was, that the original Award, or the duplicate itself transmitted to him and all the papers connected therewith were lost or mislaid in his office, and that he would cause an enquiry to be made for those papers and bring them down at the earliest moment. Some days afterwards the enquiry was renewed by me, and a similar answer was again returned. I am aware that before the House rose a copy of the Award and papers bearing on the question were transmitted to the First Minister, and were in his possession; but, so far as I know, he never brought them down to the House. Now, it is absolutely necessary that the papers connected with the north-western boundary should be submitted to the House before any further discussion takes place on this important question; and had they been submitted at the close of last Session—as the First Minister, I think, led the House to understand they would be submitted—they would have aided the gentlemen who took part in the discussion which took place on this question the other day. The papers were not submitted to Parliament; and I now ask that they be laid on the Table of the House.

MR. ANGLIN.

SIR SAMUEL L. TILLEY : There is no objection to the motion.

Motion *agreed to*.

#### WILLIAMSBURGH CANAL—DEPTH OF WATER.

##### MOTION FOR RETURN.

MR. ROSS (Dundas) moved for an Order of the House for a return showing the depth of water on mitre sills in each lock on the Williamsburgh Canals during the season of navigation for the past six years, giving the highest and lowest points of water on sills each month for the period asked; also, showing the number of vessels or steamers detained in said canals each year for same period, in consequence of insufficiency of water in said canals, and the length of time so delayed, and copies of all correspondence in relation thereto. He said: My reason for asking for this return is in order to show the House, and particularly my hon. friend the Minister of Railways and Canals, the pressing necessity there is that we should have our canal system perfected, as we all, I hope, desire it shall be, sooner or later. The great difficulty experienced in the Williamsburgh Canal is the great deficiency of water, in consequence of which vessels with large cargoes are frequently detained for a day or two when proceeding westward. It is very well understood that vessels do not generally use the canal on their downward trip, but undoubtedly they do use them on their upward trips; and frequently many vessels, heavily laden; are detained and sustain a loss which is calculated to throw discredit on our canal system—a system in regard to which we have in this country taken a great deal of credit to ourselves. In the Chief Engineer's report for 1875 I find he says:

“In October, 1872, the river was so low that there was only six feet seven inches of water on the sills of the guard lock Rapide Plat; clearly establishing the fact that the bottom will have to be lowered about five and a half feet to secure a depth of twelve feet at low water.”

There is a great difference of opinion, I believe, as to what the depth of those canals should be. Last year when this matter was before the House, I took the ground—and I have seen no reason to change my opinion since—that six feet at what we call extreme low water, would

be found quite sufficient depth for all necessary purposes. I mentioned that, because the variation of the river at this point is very peculiar. That depth would give all the water required for the transportation of the country. It is settled upon, I understand, that we should have at least a twelve feet canal system throughout. We shall have that in the Welland Canal, which is to be shortly opened, and we have it in the Lachine Canal. That being the case, there can be no two opinions that the intermediate canals should be of a corresponding depth. I think these two extremes point to what the general depth should be. The Chief Engineer further remarks :

“The variation of the water is arrived at from the daily register kept at the different stations, the result of which is shown in the following table : (Extract) Galops Lock No. 27, variations between high and low water, 4 feet 11 inches ; Lower Entrance Lock No. 25, 7 feet 7 inches ; Rapide Plat, variation ; Lock No. 24, 6 feet 9 inches ; Lock No. 23, 6 feet 4 inches.”

This corroborates what I said last year, that the water varies from four to six feet in twenty-four hours. My object now is to press upon the House and the hon. the Minister of Railways and Canals, that the people in our section of the country, believe there is a pressing necessity that this work should be proceeded with at once. I hope the hon. gentleman will place in the Estimates this year, a sum that will assure us that the Williamsburgh Canal will be proceeded with and enlarged. The Beauharnois Canal has a depth of ten feet, the Cornwall Canal from nine to ten feet, whereas the Williamsburgh Canal, in the fall of the year, when there is a great amount of business to be done, frequently has a depth of not more than seven feet. Therefore, it will be easily seen, that the next appropriation for the enlargement of the St. Lawrence canals, should be expended on the Williamsburgh section of these canals. When the return comes down it will show that, in 1872, and in the various years since, this difficulty arose in regard to the Williamsburgh Canal. Every Canadian ought to take an interest and a pride in having our canals perfect; and forwarders prepared, by means of proper steamers and barges, etc., to compete with any rival that may be carrying to

the seaboard. Both Governments have been committed to the enlargement scheme, and I think there can be no sound reason why we should longer delay ; and the country will, I am sure, bear out the Government in any expenditure that may be incurred in widening this canal. While it may be advisable to proceed to that magnificent country on the Pacific slope other interests should not be sacrificed. We can well afford to rest and take our time to get to the great Pacific slope, but it is important that we should increase the communication by water with the St. Lawrence. But this question will, I hope, be further discussed when it comes up at a later time, and when I have the pleasure of hearing from the Government that they have placed in the Estimates half a million of dollars for the improvements of the Williamsburgh Canal.

Motion agreed to.

#### WELLAND CANAL — SUPPLY OF LUMBER.

##### MOTION FOR RETURN.

MR. TROW moved for an Order of the House for a copy of the advertisement asking for tenders, and for copies of all tenders, for the supply of timber and lumber for the Welland Canal, submitted in answer to advertisement of January 12th, 1880, marking the one accepted ; with statement showing the hour at which each tender was delivered at the office of Mr. Ellis, Canal Superintendent, and, in case the lowest tender was not accepted, the reasons for the selection made ; also, for copies of all tenders submitted for the supply of iron or ironwork for the said canal, and a statement of all circumstances connected with the letting of the contract for such ironwork ; also, for copies of all correspondence in reference to the cancellation of contracts for supplies on the said canal, which were in force previous to April, 1879 ; and in reference to the purchase of supplies for the canal since that time, whether by contract or otherwise ; and in reference to the employment of men on the said canal since 10th October, 1878 ; also the names of all parties furnishing supplies and performing blacksmith or other work without tender, and the amount paid to each such person during the said last mentioned period.



He said: The reason for making this motion is; that it is alleged by some contractors that the contract was not let to the lowest tender, and that the tender of the successful party was not put in until after the hour mentioned in the advertisement.

MR. DREW moved that the following words be added at the end thereof:—"Also, copies of all advertisements asking for tenders for blacksmithing, iron, ironwork, lumber and timber, between January, 1874, and September, 1878—the names of the papers in which said advertisements were published—copies of all tenders for the said work and supplies—distinguishing those accepted; also the names of all parties furnishing supplies and performing blacksmith work without tender, and the amount paid to each such persons annually during the said last mentioned period."

SIR CHARLES TUPPER: I do not see any objection to the motion or the amendment. I can only say that I directed that tenders should be invited in the usual manner; that, having received a report from the Superintendent recommending the acceptance of the lowest tenders for the work, I directed that that should be done; and I can only say that I am not aware of any complaint being received by the Department, or of any coming to the knowledge of the Department, in reference to anything unfair or irregular. If anything of the kind did take place, I should like to know of it. We shall furnish the information asked for as closely as possible in the form moved for.

Motion, as amended, *agreed to*.

#### TORONTO CUSTOM-HOUSE DEFALCATIONS.

##### MOTION FOR STATEMENT.

MR. PATERSON (South Brant) moved for an Address for a statement showing the amount of the defalcations in the Custom-house at Toronto, together with all reports, correspondence, Orders in Council, and other papers respecting the same.

MR. BOWELL: There is no objection to the production of the papers asked for, from which, when brought down, the House will see, that a defalcation existed at that port in 1874. This fact was brought under the notice of the

late Government by one of the Inspectors. Had the facts then been investigated, the present large defalcation would not, in all probability, have occurred.

MR. BURPEE (St. John): That is the first intimation that I ever received of any such defalcation at that time.

MR. BOWELL: Inspector Kavanagh reported the fact to the Department that one of the officers now dismissed was in default in 1875. If the hon. gentleman did not know what was doing in his own Department it is not my fault.

Motion *agreed to*.

#### INSOLVENCIES IN 1878 AND 1879.

##### MOTION FOR STATEMENT.

MR. CAMERON (South Huron) moved for an Order of the House for a statement showing the number of insolvencies in the several Provinces, and the whole number in the Dominion, in the years 1878 and 1879 separately; the amount of liabilities as furnished by the insolvents, or otherwise obtained, the average for each estate; the claims proven, the average for each estate; the receipts upon all the estates, the amounts paid by way of dividend, the amounts paid for costs, commission, etc.; the average percentage paid by way of dividend upon the aggregate amount of such furnished liabilities, and the average percentage paid by way of costs, commission, and other disbursements upon the assets realised. He said: Similar returns were brought down in the year 1874. I find that in 1879 returns were submitted to Parliament containing information similar to that called for by this motion, for 1876 and 1877. I now move for returns down to 1878 and 1879. I am quite sure the information thus obtained will well repay the trouble in making them out; because the information in the two returns brought down is exceedingly interesting and valuable. I have no doubt those for 1878 and 1879 will be still more interesting and valuable. I am quite sure the Government can have no objection to the returns, because if the statements of the Government are correct, that the country is prosperous, and trade has revived since their advent to office, the returns must show that the number of insolvents has largely decreased.

MR. TROW.

SIR SAMUEL L. TILLEY: It was stated by the leader of the Opposition the other night, that the amount of failures the last year exceeded that of the previous. A similar statement was made in the leading organ of our friends opposite, and also the announcement that the largest number of failures took place in the United States in 1878, just before the good change in that country appeared, and it is very probable that here, also, the worst year is the precursor of better times, so, as last year was the worst, the next year may be the better.

MR. CAMERON (South Huron): How does the hon. gentleman get that information, as there is no Insolvency Law in the United States?

SIR SAMUEL L. TILLEY: That is just the position we are to be in also.

*Motion agreed to.*

#### INTERCOLONIAL RAILWAY EMPLOYÉS.

##### MOTION FOR RETURNS.

MR. LANDRY moved for an Order of the House for: 1st. A statement showing, in separate columns, the names of the several persons employed on the Intercolonial Railway, in the Province of Quebec, their ages, their nationalities, the religious faith to which they belong, their places of residence, the nature of their employment, the present amount of their yearly salaries, the date at which they entered the service, and the amount of their salary on entering such service; 2nd. A similar statement for the Province of New Brunswick; 3rd. A similar statement for the Province of Nova Scotia; 4th. A statement showing, in separate columns, the names of the several superior employés in the service of the Intercolonial Railway, their ages, their nationality, their religious belief, their place of residence, the nature of their employment, the present amount of their annual salary, the date of their entering the service, and the amount of their salary on entering the said service; 5th. A statement showing, in so many separate columns, the names of the several employés of the Intercolonial Railway who have ceased to be employed on the Railway since the 18th October, 1878, their nationality, their religious belief, the nature of the post they held, the salary attached to such post, the cause of discharge or resignation, by whom they

were replaced, the names of their successors, the nationality and religious belief of such successors, their salaries, their place of residence, the name of the Province to which such discharged employés belonged, and of the Province to which their successors belong.

SIR CHARLES TUPPER: I think a motion has already passed this House asking for a return somewhat similar, so far as applied to the Rivière du Loup branch. I only desire to say that it is not desirable to multiply these returns; and, if the information asked for in this return covers that asked for in the previous motion, it would be desirable to drop the previous motion. The hon. gentleman, in the motion now before the House, does not state whether he requires the dates upon which the officials upon the Rivière du Loup branch entered the service of the Grand Trunk Railroad Company or the Government. The great bulk of the officials upon that branch of the road entered the service of the Government when they became owners of the road. I would like the hon. gentleman to state whether he means when they entered the service of the Government, or whether he wishes to know how long they have been in the employment of the road.

MR. LANDRY: The hon. the Minister of Railways and Canals wishes to know whether by "the date at which they entered the service," spoken of in my motion, is meant the entry into the service of the Government, or, in a more general way—at least in so far as regards the Province of Quebec, that part of the Railway which extends from Rivière du Loup—the entry into the service of the Company which owned that part of the road before the Government purchased it, is to be understood. It is the latter interpretation I give to my motion, and, if the thing is possible, I ask the Government to interpret it in that sense. At the period of the transfer to the Government, important changes took place; salaries were reduced. I wish to know and I wish the public to know, all that occurred at that time. In support of the motion I have just made, it will not, I think, be out of place to say a few words as to a rumour which is generally current and which is perhaps well founded. I trust, nevertheless, that such is not the case, and this House will

be gratified should the Government in general, and the hon. the Minister of Railways in particular, take the necessary steps to remove the feeling of uneasiness which exists in the Province of Quebec. But what is the rumour? What is this feeling of uneasiness? It is useless to conceal it, Mr. Speaker, the Province of Quebec, or at least, that part of the Province which is traversed by the Intercolonial Railway, complains as to the distribution of patronage on the Railway. Are these complaints well founded? I am quite willing to believe that they are not, but special instances are spoken of, and, to mention but one, it has been asserted of late that the superior employés of the Railway had taken the trouble to bring up from the Maritime Provinces a certain number of carpenters to work at the Chaudière Station, in your own county, Mr. Speaker, which you represent with so much honour. Now everybody knows that the county of Lévis, or the county of Montmagny can furnish in abundance all the labour required, for the construction of public buildings erected within their limits, without seeking unnecessary aid at all events from distant Provinces. I am not aware as to the truth or falsehood of this charge, but, true or false, it is the interest of the Government to remove from the public mind the effect which such statements may produce. It is the interest of the Government to protect the rights of the Province of Quebec. The hon. the Minister of Railways has already taken one great step in that direction, and the appointment of Mr. MacDonald of Kamouraska to the post of Assistant Superintendent of the Intercolonial Railway has been received by the public with a feeling of well grounded satisfaction. But the action of the Government must not stop there, and I trust that every time promotions are to take place in the Province of Quebec, the selections may invariably be made from persons residing in the Province. By so acting, the Government will meet with general approbation and the support of all lovers of justice, and the charges made against the present Administration, while they may have been well founded in the past, will fall to the ground of themselves and be utterly forgotten.

Motion agreed to.

MR. LANDRY.

## MOTIONS FOR RETURNS.

The following motions for Returns were severally agreed to :

Address—Statement of amount paid in defraying the expenses of the tenant farmers who visited this country during the last year, at the instance of His Excellency the Governor-General.—(*Mr. Oliver.*)

Address—Copy of the Commission appointing the present Chief of the River Police, at Montreal; also a return showing the number of officers acting under the said Chief of Police, the number of men composing the whole Force, the name of each man, their respective yearly or daily salaries, the nature of their duties, the number of hours of service required from each of them each day; also, a detailed statement of the expenses of the said Police Force, of the amounts allowed for the clothing of the officers and men respectively, and of all expenses incurred in connection with the maintenance of the Force.—(*Mr. Desjardins.*)

Order of the House—Return of expenses in detail, incurred by members of the Government and persons in the service of the Government, sent to England, or elsewhere, on behalf of the Government, from 1st January, 1874, to 1st October, 1878.—(*Mr. Robertson, Hamilton.*)

Order of the House—Statement, in detail, of all sums paid out over and above the contract price, for the building of the Examining Warehouse at Montreal, showing at the same time the value of the additional works, as well as the difference between the quantities specified in the tenders and those found in the works as executed.—(*Mr. Desjardins.*)

Order of the House—Return of names of persons dismissed, removed, or whose services have been dispensed with for any cause, and the reasons for such dismissals or removals, or who have ceased to be in the service or employment of the Government, or who have been superannuated or transferred from one office or employment to another, since 13th February, 1879; together with the reasons for superannuation or transference, the names and residences, and the position or employment or occupation of such person or persons in the employment or service of the Government, whether permanent or temporary, the amount of superannuation or allowance paid or to be paid to such persons; also, the names, residence and occupation of any person or persons appointed to any office, occupation or employment under the Government, or in the service of the Government, since that date, and the office, occupation or employment to which such persons have been so appointed, and whether paid by salary, allowance or fees, and the amount of such salary or allowance.—(*Mr. Oliver.*)

Order of the House—List of all vessels that have carried cargoes to the Fort William terminus of the Pacific Railway, their tonnage, draft of water, and description and quantity of cargo.—(*Mr. Plumb.*)

Order of the House—Return of all remuneration, whether in the shape of fees or otherwise, received respectively, during the years 1873, 1874, 1875, 1876, 1877, 1878 and 1879, by the postmasters at St. Catharines, Guelph, Brant-

ford, Belleville, Chatham, Windsor and all incorporated towns, together with an account of the rents and other expenses incurred and allowed in connection with the post-offices at those places during the years above mentioned.—(*Mr. Stephenson.*)

Address—All correspondence with the Government concerning the dangerous cliff in Champlain-street, on the Citadel property, in the city of Quebec.—(*Mr. Laurier.*)

Order of the House—Copy of the Report of the Engineer who made the survey of Trois Pistoles, in the county of Temiscouata, in view of the proposed construction of a wharf at that place.—(*Mr. Grandbois.*)

Order of the House—Return showing the amounts of money in the hands of the Agents of the Dominion, or any other parties in London, on the first day of each month, in the years 1876, 1877, 1878, and 1879, with a statement of the rate of interest allowed on such sums upon each of the said periods, and of the total amount allowed as interest.—(*Sir Richard J. Cartwright.*)

Order of the House—Copies of the Report of E. Bender, Civil Engineer, on the survey of River St. Francis, made during last summer.—(*Mr. Vallée.*)

Order of the House—Statement showing the names and salaries of all persons engaged during the year 1879, as engineers and assistants in the field on the Canada Pacific Railway, and other employés out of the Departments at Ottawa; also, the expenditure for supplies, and the names of the parties supplying the same, and whether procured by ordinary purchase or by tender.—(*Mr. Trou.*)

Address—Copy of any Order or Orders in Council of the Privy Council, approving of the Treaties made with the Indian Tribes at Forts Carlton and Pitt, in the year 1876, and of all Despatches from the Minister of the Interior, or his Deputy, to the Commissioners, or any of them, communicating the same to them, and having reference to the terms embodied in such Treaties, together with the replies of the said Commissioners, or any of them, to such Despatches.—(*Mr. White, Cardwell.*)

Address—Copies of all despatches from the Lieutenant-Governor of Manitoba relating to the Reserve promised under the provisions of Treaty number one, relating to the Reserve stipulated thereby to be assigned to the Band of Indians in Manitoba, of whom Yellow Quill was Chief; and of all correspondence and despatches from the Secretary of State, the Minister of the Interior, or Deputy Minister of the Interior, addressed to the said Lieutenant-Governors, in reply or in relation thereto; also, all correspondence between the Government of Canada, and the Hudson's Bay Company on the subject.—(*Mr. White, Cardwell.*)

Order of the House—Return showing: 1. The total number of acres of Public Lands sold in Manitoba and in the North-West Territory, during the year A.D. 1879. 2. The total number of purchasers of the same. 3. The number of acres sold in quantities of 640 acres, or more, to each individual purchaser at one or more times during the year. 4. The number of purchasers whose aggregate purchases during the year 1879 ex-

ceed 960 acres each. 5. A list of those whose aggregate purchases of Public Land, during the year 1879, amount to or exceed 2,000 acres with the aggregate number of acres purchased by each. 6. The total number of acres sold, where the aggregate purchases during the year amount to over 960 acres to each purchaser; upon which a portion of the purchase money remains unpaid, and payable in annual instalments.—(*Mr. Charlton.*)

Order of the House—Statement of the expenditure incurred for advertising the Regulations relating to the Public Lands in Manitoba and the North-West Territory, since the first of June last.—(*Mr. Mills.*)

Order of the House—Statement showing the time appointed for the payment of the Indians last year under Treaty No. 7; the time when payment was made; through what agencies was money paid, and the rate of exchange; also the amount expended for food, and the amount for other supplies.—(*Mr. Mills.*)

Order of the House—Statement showing the value of undressed skins imported into Canada during the ten years now last past, ending the first day of January last.—(*Mr. Landry.*)

Order of the House—Statement showing the number of cords of hemlock bark exported to the United States during the ten years now last past, ending the first day of January last.—(*Mr. Landry.*)

Order of the House—Return of copies of all Official Reports since 1st January, 1879, relating to the repairing of the Harbour of Refuge at Rondeau, and the construction of a telegraph line connecting with that point.—(*Mr. Stephenson.*)

Order of the House—Return of all correspondence in possession of the Government, relating to the appointment of and performance of duties by the Lighthouse Keeper at Rondeau Harbour; also, all Correspondence received from the Collector of Customs and Lighthouse Keeper, relating to the trade of that port, giving the number and names of the vessels that have arrived and departed during the past year, together with a detailed Statement of the fees realized from harbour dues and other sources.—(*Mr. Stephenson.*)

Order of the House—Detailed statement of expenditures, under the head of Unforeseen Expenses, amounting to \$2,282, as given in the Statement of Receipts and Disbursements of the Accountant of the House of Commons, for the year ending 30th June, 1879, and the names of artists receiving such payments.—(*Mr. Charlton.*)

Address—Copies of Instructions issued to Postmasters in Cities, Towns, and Villages, by the Postmaster-General, under authority of Section 39 of the Act 38 Victoria Chapter 7, with reference to dutiable goods brought into the Dominion through the Post-Office.—(*Mr. Fleming.*)

Order of the House—Detailed monthly statement of the amount expended during the year 1878 and 1879, in advertising on behalf of the Government, or any public service, in the public journals of the Dominion, the amount paid each journal respectively, and the purpose for which such money was paid; also, the

amount paid in subscriptions, for what papers paid, and whether such papers were ordered for the use of the Public Departments or otherwise.—(Mr. Fleming.)

Order of the House—Return of all expenses, in detail, paid to Law Agents and Counsel for professional services in reference to the Ontario Boundary Commission, and the Arbitration and Award between the Dominion and Ontario, giving names of persons to whom paid and dates of payment, and of all claims for professional services (if any) still remaining unpaid.—(Mr. White, Cardwell.)

Order of the House.—Statement showing the quantity of sugar imported into the Dominion for each six months, namely: from 1st of January to 30th June, and from 1st of July to 30th December, respectively, between 1st January, 1872, and 31st December, 1879; specifying the country from which it was imported, the quantity imported by vessel, and the port at which the latter was entered.—(Mr. White, Cardwell.)

Order of the House—A copy of the Report of Engineer upon Petition asking for the erection of a Breakwater or the making of a Harbour at Stony Island, Shelburne County, Nova Scotia.—(Mr. Robertson, Shelburne.)

Order of the House—Return showing the names of all Insurance Companies licensed on and since the first day of April, 1879; Licenses since that date cancelled, nature and amount of securities held in each case, the value at which such securities have been accepted, whether at par value or above or below par value; statement of any additional deposits which since that time have been required to be made by reason of depreciation of value of securities or increase of business; statement of deposits made with Trustees under Section 7 of the Consolidated Insurance Act of 1877, and a return of Companies ceasing to do business since that date; also, a return of claims contested by the different Companies with the cause of contestation in each case.—(Mr. Colby.)

House adjourned at  
Ten minutes after  
Ten o'clock.

## HOUSE OF COMMONS.

Tuesday, 24th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

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

Bill (No. 21) To empower the Stadacona Fire and Life Insurance Company, to relinquish their Charter, and to provide for the winding up of their affairs.—(Mr. Casgrain.)

Bill (No. 22) Further to amend the Act therein cited, incorporating the Canada Guarantee Company.—(Mr. Girouard, Jacques Cartier.)

MR. FLEMING.

Bill (No. 23) To incorporate the French Atlantic Cable Company.—(Mr. Cameron, North Victoria.)

Bill (No. 24) To incorporate the Dominion Commercial Travellers' Association.—(Mr. Gault.)

Bill (No. 25) To authorise the establishment of Superannuation, Provident and Insurance Funds by the Great Western Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 26) To incorporate the Emerson and Turtle Mountain Railway Company.—(Mr. Royal.)

Bill (No. 27) To incorporate the Baptist Union of Canada.—(Mr. Mackenzie.)

Bill (No. 28) Further to amend an Act respecting the security to be given by officers of Canada.—(Sir Samuel L. Tilley.)

## RELIEF OF THE DISTRESS IN IRELAND.

### ADDRESS TO HIS EXCELLENCY.

SIR JOHN A. MACDONALD: I move for the adoption of an Address of this House, concurring in the recommendation in His Excellency's Speech, in relation to the distressed people of Ireland.

MR. MACKENZIE: I do not desire to say a word in seconding the motion, except this: I observe from some of the telegraphic despatches that an amendment has been made to the Government Bill in England, providing for relief of the sufferers from famine in Ireland, to the effect that every person who receives relief shall be disfranchised. It seems unaccountable to me that there should be such a provision. Still, the despatches seem to say so. I have merely to suggest to the hon. gentleman that, when the money is sent to the Secretary of State, it should be accompanied by the request that no Canadian contribution should be used for the purpose or with the result of disfranchising the Irish sufferers.

SIR JOHN A. MACDONALD: I think the hon. gentleman is not under a misapprehension in merely reading the telegraphic reports. The hon. gentleman is quite correct in supposing the existence of a provision in the law disfranchising certain recipients of relief. But such would not be the case as regards this Canadian contribution. There is a provision in the Poor Law of England and Ireland—the ordinary Poor Law—that the acceptance of relief from the parish is, of itself, a disqualification.

MR. HOLTON: What is the effect of this change?

SIR JOHN A. MACDONALD: Any sum of money, any grant of indoor or outdoor relief by the Poor Law Guardian, to a voter, disqualifies him—I do not know for how long—from the exercise of the franchise.

MR. HOLTON: Does the amendment made to this Bill place the beneficiaries from this fund in the category of those receiving relief under the Poor Laws of the country, working their disqualification—that is the point?

SIR JOHN A. MACDONALD: No voluntary contributions, any more than an ordinary gift, can have that effect. The policy of the law is that a party who is a pauper, according to the construction of the Poor Laws, by getting parish relief out of the fund provided by law, should be disfranchised. This merely voluntary contribution of the people of Canada can not have any effect in law in that way.

MR. HOLTON: in view of the statement that a Bill has passed the British House of Commons, under the auspices of the Imperial Government, causing the disfranchisement of all who participate in the benefits of the relief appropriated by that Bill, my hon. friend the member for Lambton has properly suggested that we should take care that such direction is given to our contribution as will not make us parties to the disfranchisement of the temporarily poor, by placing them in the category of those who are burdens upon the parish.

MR. MILLS: That would seem to be the burden of the Bill now before the Imperial Parliament. It places the recipients of any relief exactly in the position of those who receive relief under the Poor Law, and, of course, that being the case, all who receive relief from the Imperial Treasury will be classed as paupers and disfranchised as such. Great care should be taken that we be no parties in any way to any measure of that sort.

SIR JOHN A. MACDONALD: By no possibility can our contribution have such effect, any more than the subscriptions of private individuals or corporations.

MR. HOLTON: Every care should be taken that our contribution be not made to work towards the disfranchisement of the suffering Irish.

SIR JOHN A. MACDONALD: I shall take care it will not.

MR. ANGLIN: It is very difficult to understand what the telegrams mean. We know that some time ago the Imperial Government authorised Boards of Guardians in Ireland, in several Poor Law Unions, to extend relief to the suffering in some way not very well defined. I think now that this Bill is introduced to legalise that course—to authorise those Boards to extend relief outside of the ordinary poor-rate relief. The effect of the amendment proposed would probably be to extend to persons relieved under this Act the operation of those clauses of the Poor Law which disfranchise those who receive relief from the poor rates. The difficulty, then, is that if our money be by the Imperial Government handed over to the Poor Law Guardians for distribution, it may be so employed as to destroy the rights as electors of those receiving such relief, and we know that a general election is approaching, and every means will be used by one side or other to disfranchise those supposed to be hostile to the Tory or Liberal candidates.

SIR JOHN A. MACDONALD: I shall take every care to guard against such results.

*Resolved*, That the following Address be presented to His Excellency the Governor-General:—

“To His Excellency the Right Honourable Sir JOHN DOUGLAS SUTHERLAND CAMPBELL, (commonly called the Marquis of Lorne) Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and St. George, Governor-General of Canada, and Vice-Admiral of the same, etc., et.,” etc.

“MAY IT PLEASE YOUR EXCELLENCY:—

“We, Her Majesty’s dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, beg leave to approach Your Excellency with the expression of our deep sympathy on behalf of our fellow-subjects in Ireland, who, on account of the failure of the crops and the prevailing destitution amongst the labouring classes in that part of the United Kingdom, have been subjected to grievous want and destitution.

“We have, upon the invitation of Your Excellency, cordially and unanimously concurred in a proposal to grant to Her Majesty the sum of one hundred thousand dollars for the relief of the present great distress in Ireland; We pray Your Excellency to cause the issue of this amount out of the Consolidated Fund for this purpose; and we assure Your Excellency that we will hereafter cheerfully agree to the

necessary propositions for making good this appropriation, according to law."

*Ordered*, That the said Address be communicated to the Senate for their concurrence.

### VENTILATION OF THE CHAMBER.

#### REMARKS.

MR. CHARLTON: I desire the indulgence of the House for a moment, while I refer to a matter of personal interest to us all. It is believed to be the function of an Opposition to find fault, and every member should find fault with whatever may be wrong. Acting on that belief in the past, I have taken occasion many times to find fault with the ventilation of this Chamber, and, as I have been somewhat conspicuous in finding fault, personally, it may not be deemed an assumption on my part, if I take the initiative in making some complimentary acknowledgement to the Minister of Public Works on the great success with which he has grappled with this difficult question. For this Chamber, from the day it was first used, has been unfit for the Legislature to assemble in. To secure its proper ventilation seemed to be a problem impossible to grapple with, until it has been successfully solved by the Minister of Public Works. We sit to-day in a Chamber which I venture to say is the best ventilated legislative hall in America. I therefore feel I can do no less than rise in my place and compliment the Minister of Public Works on his success in this important work. We sit here now in comfort, without the risk of contracting disease from bad ventilation, and, if that hon. Minister succeed as admirable in the discharge of all his duties as he has in the ventilation of this Chamber, he will leave behind him a very enviable record indeed. I hope it will not be deemed ungracious if I refer to the only remaining grievance, with respect to the lighting of the gas. It is allowed to escape at times to such an extent as to pervade the Chamber with an offensive odour. I throw out the suggestion whether it would not be possible to ignite the gas so that it may not pervade the Chamber.

MR. PLUMB: Having cooperated with my hon. friend opposite (Mr. Charlton) in bringing before the House the no slight grievance of its imperfect ventilation, I am quite happy to join with him in congratulating the Minister of Public

SIR JOHN A. MACDONALD.

Works upon the perfect success he has attained in removing what seemed to all the members a very great inconvenience, and very great source of ill health to those compelled, night after night, to sit in this House as ventilated up to this time. I think also I may say that the Minister of Public Works has thus contributed to the good, the perfect ventilation of public questions; because, when members are sitting in this House, overcome by the heavy atmosphere, they are not able to attend to their duties with that vigour and efficiency which they ought to evince, and, as our friends on the opposite side are small in numbers, we will be very happy to give them every possible facility to make the best use of their powers. I wish to add my personal thanks to those expressed to the Minister of Public Works for the most efficient manner in which he has brought about this improvement. I trust that some improved method of lighting the gas may be devised, so as to prevent escape and diffusion throughout the House, at the moment before ignition.

MR. LANGEVIN: I thank both hon. gentlemen who have just spoken for the way in which they have noticed the change in the ventilation of the House. Of course it was my duty to attend to the representations made on the subject. I am not so selfish as to take to myself the compliments just passed upon the ventilation. If it has proved a success, the credit is due to the officers who have performed the work under my orders. As to the gas, I know there is a defect to remedy; I hoped to be able this year to substitute for it the electric light, but have been disappointed. However, I hope that, the next time we meet, we shall have the electric light substituted for the present gas, which will dispose of the grievance now felt.

### PRIVILEGES OF THE HOUSE — JOHN A. MACDONELL.

#### HEARING AND DETERMINATION OF THE CASE.

Order for the attendance of Mr. John A. Macdonell at the Bar of the House, *read*.

SIR JOHN A. MACDONALD moved that John A. Macdonell be called in.

*Motion agreed to.*

Mr. SPEAKER directed the Sergeant-at-Arms to call John A. Macdonell to the Bar of the House.

Mr. McLENNAN: Before Mr Macdonell is called in, I wish to be allowed to read an apology he has placed in my hands.

Mr. MACKENZIE: I rise to a point of order. The motion that John A. Macdonell be brought to the Bar is put and carried.

Mr. KIRKPATRICK: It is not carried.

Mr. SPEAKER: It has been carried. John A. Macdonell now appeared at the Bar of the House.

The CLERK read the statement made by Mr. Mackenzie on Monday, the 12th of May, 1879, which is as follows:—

“That on Saturday last, a person named John A. Macdonell, while sitting inside the House, made offensive remarks towards a member of this House, namely, the member for Shefford, who at the time was sitting in his place in the House, viz.:—that the said member was a cheat and swindler; that the offending person was ordered by the Speaker to withdraw from the House, but that he nevertheless again returned, when he was again expelled by the Sergeant-at-Arms. That immediately afterwards a letter was received by the member for Shefford in the following terms, presumably written by this same person:—

“To the Hon. L. S. Huntington, M.P.:—

“SIR,—I desire to state out of the House, what I stated in it. You are a cheat and a swindler.

“J. A. MACDONELL.”

SIR JOHN A. MACDONALD then examined the said John A. Macdonell, as follows:—

Question:—Have you anything to say with respect to the charge just read?

Answer:—I desire to apologise to this honourable House for the remarks made by me to the hon. member for Shefford.

He was then directed to withdraw, and remain in attendance.

Mr. McCARTHY moved that leave be granted to Mr. John A. Macdonell to make the apology and explanation that he desires to make.

Motion agreed to.

Mr. John A. Macdonell was called in, and leave was granted him to make the explanation he desired.

Mr. John A. Macdonell said:

To the Speaker of the House of Commons of Canada.

Mr. SPEAKER,—I desire to express to you, as Speaker of this honourable House, my sincere re-

gret for having, on the evening of the eleventh day of May last, while admitted by the courtesy of the House to a seat on the floor of the House, committed a breach of the privileges of this honourable body by referring to one of the members of this House in terms which should not have been used within the walls of this Chamber. I desire to state that my language was not addressed to the member in question, nor to any member of the House, but to a gentleman sitting beside me at the time on the seat which is allotted to strangers.

I did not intend to speak in a voice which would be audible to the member for Shefford, or to any member of this House, for I had no desire to commit any breach of the privileges of this House of Commons, for which I entertain the highest possible respect, but the words unguardedly used by me having been heard by the member with reference to whom they were used, or having been mentioned to him as having been spoken by me with reference to him, and the matter having been brought to the attention of this House, and as I am advised and believe that my language constituted a breach of the privileges of the House, I now apologise to this House for the offence to the House, and to assure you that I most deeply regret that I should in any way have infringed upon the privileges of the House of Commons of Canada.

With reference to the note addressed by me to Mr. Lucius Seth Huntington, I am advised and believe that that act did not constitute a breach of the privileges of this House, not having been committed within the House, and the words used not referring to any action of Mr. Huntington in his Parliamentary capacity; but if you, Mr. Speaker, and this honourable House, think otherwise, and that it did constitute a breach of your privileges, I am prepared to offer, and do offer to this House, my apology for the same, and to express to this House my sincere regret therefor.

He was again directed to withdraw, and remain in attendance.

Mr. KIRKPATRICK: I think, Sir, that, when first the conduct of Mr. Macdonell was complained of by the hon. member for Lambton (Mr. Mackenzie), he should have followed it up by a resolution affirming that such conduct was a breach of the privileges of this House, but, that motion not having been made, I consider it necessary now, before we take any further action in the matter, to declare that this conduct was a breach of the privileges of this House, or we should declare that it was not. I assume that, by the action of this House in summoning this person to attend here, it is virtually admitted, or I should say virtually resolved that it was a breach of the privileges of this House, but before we go further I think we should put such a resolution upon the Journals of the House. I think that should have been done in



order that you might have informed Mr. Macdonell as he stood at the Bar that his conduct, or the conduct of the person who has transgressed, had been adjudged a breach of the privileges of this House, but, that having been omitted, it is better that it should be done now than left undone. Therefore I move :

That Mr. Jehn A. Macdonell having, as he admits, used the offensive words towards the hon. member for Shefford, complained of by the Hon. Mr. Mackenzie, member for Lambton, in his place on the 12th of May, last, was, by his said conduct, guilty of a breach of the privileges of this House.

MR. MACKENZIE : The hon. member for Frontenac's resolution is not what it purports to be. It is there stated that this man (Mr. Macdonell), having admitted etc., is thereby guilty. It is not his admission that makes him guilty. He is quite as guilty whether he admitted it or not. The question is whether he did commit the offensive act. If he denies that he committed it, we would have had to consider the proof which was convenient. The resolution of the hon. gentleman makes the admission the basis of the motion, not the commitment of the offence itself. I would ask him to alter it so as to remove that objection.

MR. KIRKPATRICK : I think the hon. gentleman misinterprets my motion. The words "was by said conduct guilty" I think meet the points raised by the hon. gentleman. We cannot find Mr. Macdonell guilty of a breach of the privileges of this House until either "he has been guilty on proof, or until he has admitted his guilt." In this case he has admitted it, and we must take into consideration that no proof is necessary.

MR. MACKENZIE : You use confession as a proof.

MR. CASGRAIN : You cannot do that. I think there is a little mistake in this, if I may be allowed to say so. If you find a man guilty, and you want to punish him, you must take a legal and proper means to do so. In this instance, the person who is at the Bar is guilty of two offences—the first offence is that committed on the floor of the House ; and that offence the House must take cognizance of. The second offence he admits to a certain extent, if it be an offence. I do not see for my part, and I believe I shall be sustained by the legal

MR. KIRKPATRICK.

members of this House, that the second offence would not be such as we would have a right to commit him on. I would suggest to the hon. member, that the proper shape in which to put this matter before the House would be to make the addition that the offence was committed on the floor of the House, or within the precinct of the House.

MR. KIRKPATRICK : That is stated in the complaint made. My resolution refers to the complaint made on the 12th of May last.

MR. CASGRAIN : I think that my suggestion is a good one, and that the charge must appear specifically on the paper if you want to proceed hereafter. At any rate, I think I may fairly lay this proposition before the hon. the Premier, who may understand better than anyone else in the House the value of the suggestion now made.

MR. MACKENZIE : I would suggest that the hon. gentleman should alter the preliminary part of his motion in this way. At present it reads in a continuous sentence :

" Mr. John A. Macdonell, having admitted that he used offensive words towards the hon. member for Shefford complained of by the Hon. Mr. Mackenzie, member for Lambton, in his place on the 12th of May last, was, by such conduct, guilty of a breach of the privileges of the House."

I would suggest that he should change the motion to read in this way " Mr. John A. Macdonell, as he admits at the Bar of this House, having used," and so on.

MR. MCCARTHY : That is the same thing.

MR. MACKENZIE : No it is not, because you put these words in brackets: "having as he admits."

MR. KIRKPATRICK : There is no harm in that.

MR. MCCARTHY : I find in Mr. Hope's case a motion in these terms. Mr. Courtney moved : " Mr. Hope, having confessed himself to be the author of the letter, is guilty of a breach of the privileges of this House." The whole matter, the hon. member will see, appears on our Journals. The Speaker has read to Mr. Macdonell the complaint which the hon. member for Lambton made in May last; that shows the charge, Mr. Macdonell having been brought to the Bar to answer

both charges. The first he admits is a breach of the privileges of the House, and apologises for his conduct. In regard to the second, he is advised that it is not a breach of the privileges of the House, but says that, if the House considers it also a breach of the privilege, he also apologises for that one. My hon. friend moves that he, having confessed the truth of the charge which the hon. member for Lambton made against him, is guilty of a breach of the privileges of this House.

MR. CASGRAIN: In regard to which?

MR. MCCARTHY: In regard to the first of the two charges. I doubt whether we have any power to deal with the second charge. Perhaps, if Mr. Macdonell had not appeared at the Bar, we would have felt ourselves in rather a ridiculous position.

MR. CASEY: Do I understand the hon. mover of this resolution, which professes to define the offences committed by Mr. Macdonell, to say that he wishes to confine that offence to the use of the words verbally uttered within the House, to the exclusion of the letter which was afterwards written? Because, if that is the case, it would sustain the contention made by Mr. Macdonell at the Bar that that letter was not a breach of the privileges of the House.

MR. MILLS: I do not think that the motion read by the hon. member for North Simcoe (Mr. McCarthy) in reference to the letter of Mr. Hope, is a case strictly in point. In that case, in order to determine who had committed a breach of privilege, it was necessary to establish by whom the letter was written, and the party himself admitted that the letter was written by him. Then he was recognised as the party by whom the breach of privilege was committed. The hon. member for Shefford (Mr. Huntington) stood up in his place, and made a statement that the person who was brought to the Bar of this House to-day had used certain words which were a breach of privilege. Now, the fact that a breach of privilege has been committed in no way rests upon the confession or testimony of the person accused. That fact was before established by the statement of the hon. gentleman. The hon. gentleman will see that, by adopting that resolution in its present form, the testimony of the hon.

member of this House would go for nothing. It seems to me, looking at these cases, that this fact is established: that the testimony of the hon. member is itself conclusive in regard to the fact. We do not require further testimony. You do not require to bring the accused to the Bar of the House with a view to establish the fact that a breach of privilege had been committed. The House was cognizant of that before he was brought to the Bar.

MR. MCCARTHY: The only thing that appears on the Journals of the House was a statement made by the hon. member for Lambton (Mr. Mackenzie). Of course that is what we are dealing with.

MR. MILLS: Prior to that, the hon. member for Shefford (Mr. Huntington) called the attention of the House to the fact of the breach of privilege, and subsequently the hon. member for Lambton (Mr. Mackenzie) made his motion. I think that the House, although it was reported only in the *Debates* of the House, has the statement before it.

MR. MACDOUGALL: I hope the hon. gentleman who has made this motion will adopt the suggestion of the hon. gentleman opposite with regard to the condition that the offence was committed within the precincts of the House. It appears to me that this is necessary in order to give us jurisdiction.

SIR JOHN A. MACDONALD: The hon. gentleman will see that the complaint made by the hon. member for Lambton (Mr. Mackenzie) was that the offence had been made within the precincts of this House. The person, having been brought to the Bar of the House, admits the charge that the language was used within the precincts of the House. It seems to me that he was in full possession of the complaint that improper language had been used within the precincts of the House. The party admits that he used this language, and apologises for it. It is true the hon. member for Shefford (Mr. Huntington) stated in his place that he had been insulted by a person near him, but, if I remember rightly, he specified no language.

MR. MILLS: Yes, he did.

SIR JOHN A. MACDONALD: Perhaps he did. At all events it does not appear on the Journals of the House. The motion I made last Session to bring Mr.

John A. Macdonell to the Bar of the House was repeated this Session, and that motion was based on the motion of my hon. friend from Lambton. It seems to me that we have the case before us now.

MR. CASGRAIN: The case is before us, certainly, but we are creating a precedent, and, in doing so, I think the offence should be specified.

SIR JOHN A. MACDONALD: There can be no objection, it seems to me, to the course proposed by the hon. gentleman. It might be well, therefore, to state in this resolution that this language was used within the precincts of this House.

MR. KIRKPATRICK: I have made the alteration as suggested and inserted the words, "having used, as he admits, the offensive words within the precincts of this House, as complained of."

MR. HOLTON: It seems to me that it is much stronger as it is. The complaint is that it was made on the floor of the House. Where are the precincts of the House? In my opinion the charge is specific on the floor of the House, while the House was sitting. I do not think that there can be anything more specific, as to the *locale* of the offence.

MR. GEOFFRION: We have a precedent which was established in this Session we had in Ottawa. A person insulted a member of the House outside of the Chamber. He was brought to the Bar of the House, and condemned to be kept under guard by the Sergeant at Arms, during the rest of the Session. In the case now before the House, as I understand the matter, it is proposed to make it an offence to insult a member within the walls of this Chamber. Is it the intention of the House to declare that a member can be insulted in the lobby or in front of the House without a breach of its privileges? I am opposed to such a declaration, which would virtually be an inducement to outsiders to insult members when going or passing along the lobby. I think we should, at least, declare that no one can insult a member within the hall, in the lobby, or on the grounds of the buildings, without a breach of the privileges of the House.

Motion, as amended, *agreed to*.

MR. MCCARTHY: I propose to follow up the resolution which has just been declared carried by the following resolution:—

SIR JOHN A. MACDONALD.

That Mr. Speaker do communicate the said Resolution to Mr. John A. Macdonell, and do further inform him that, under all the circumstances of this case, this House, taking into consideration the regret and apology made by him at the Bar of this House, does not feel itself called upon to proceed further in the said matter.

MR. MACKENZIE: If it is the intention of the House to apologise to Mr. Macdonell for the inconvenience he has been put to, the language had better be slightly changed. A very slight alteration will do it.

MR. MILLS: The hon. gentleman at the head of the Government has expressed no opinion as to the letter written to Mr. Huntington, while in the discharge of his duties as a member of this House, written within the precincts of the House, in the Reading Room, and delivered to Mr. Huntington within the House itself while the House was in session. When Mr. Macdonell was brought to the Bar of the House, he declared that he did not think he had committed a breach of the privileges of this House when he wrote the letter, and we ought to know from the right hon. gentleman at the head of the Government whether that is to be laid down as precedent in this matter of Parliamentary privilege. It was important, before the motion was put into your hands, Mr. Speaker, to know what views the Government held upon that letter, as to whether they consider that a letter containing offensive language and written within the precincts of this House, and sent to him while in his place in this House, is a breach of its privileges, and whether it is not as much so as the offensive language used here. This House will be derelict in the discharge of its duty if it should permit such an apology as the one read to be received, and if it should allow Mr. Macdonell to be discharged without further notice. The House has a right to call upon the leader of the Government to deal with this question fully, the right hon. gentleman having brought the offender to the Bar of the House.

SIR JOHN A. MACDONALD: The hon. gentleman says that the House is entitled to know what is the opinion of the Government in this matter. It is not a matter merely for the Government, but for the House—for the youngest member and for the oldest member in

the House equally—and the Government have no right to obtrude their opinion in a matter of privilege. Every member in the House, whether on the Treasury Benches or in any other part of the House—the hon. gentleman who has just sat down, and every other member whatever—has an interest and an equal right in such a matter as this. With respect to this letter, the hon. gentleman says he believes it was written within the precincts of the House. I do not know whether it was or not, nor do I care where it was written, but I know that Mr. Macdonell states that he is advised that that letter is not a breach of the privileges of this House, but he says further that, if this House should say it was, he would apologise, and in fact did apologise with many manifestations of regret.

Mr. MACKENZIE: No, no; not unless it should be declared a breach of privilege.

SIR JOHN A. MACDONALD: There was a resolution adopted that it was a breach of privilege.

Mr. CASEY: The hon. the leader of the Government says that every member—the youngest as well as the oldest—has an equal right to interest himself in upholding the dignity of this House; but it is not to be supposed that these junior members have the same powers as himself to perform that task. The hon. leader of the Government is expected to take the foremost part in protecting our privileges, since he has the power at his back to do so; and we are entitled to require some distinct opinion from the Government on the matter. The hon. the leader of the Government, however, has not only not given us his opinion, but he has declared that it is not his business to state whether he thought it was a breach of the privileges of this House or not.

Some HON. MEMBERS: No, no.

Mr. CASEY: He said distinctly that it was as much the business of the youngest member in the House as his. We ought to have a motion to decide whether it was a breach of privilege, or at least a declaration of the hon. the leader of the Government, as to his own individual opinion. This is specially required, since it has been stated by the mover of the last resolution (Mr. Kirkpatrick) that he wishes to declare that

the spoken words only and not the letter are a breach of privilege.

Mr. ANGLIN: I think there can be no doubt that the sending of this letter to the hon. member for Shefford (Mr. Huntington) was a gross violation of the privileges of this House. It matters little as to the extent of such punishment as we have tenderly inflicted on the gentleman brought to the Bar of the House. It matters little whether we shall require him to alter his apology, and, as far as the hon. member for Shefford is concerned, I do not suppose he cares in what form the apology is made; but it matters to this House for the future whether we shall allow a charge of this kind to pass unnoticed—a charge, Mr. Speaker, of having written to a member of this House a letter which you, I am sure, are convinced is a breach of the privileges of this House. The fact having been brought before the House it behoves us—all of us—without resentment towards anybody, but upholding the dignity and privileges of this Parliament, to deal with the matter as the laws of Parliament require, and not to set a precedent which may be made use of hereafter to the prejudice of the dignity and rights of this Parliament. I think we should declare that the sending of that letter was a breach of the privileges of Parliament. The letter was sent in to the member for Shefford immediately after the insulting words had been used. After the insulting words had been used, Mr. Macdonell was hurried out by some friends; then he came in at the door on the Speaker's right with a very defiant and threatening attitude, and, hurried away from that, he again appeared at the door in front of the chair. A few moments after he had made these defiant demonstrations, the note complained of came to the hon. member for Shefford. We ought to distinctly declare this to be a violation of the privileges of the House, and to require a distinct and unqualified apology—no conditional apology, such as the gentleman has been advised to make, but a complete, distinct and unconditional apology. I do not think that gentlemen on the other side of the House, that gentlemen on either side of the House, can conscientiously come to the conclusion that we ought to be satisfied with the conditional and incomplete apology that has been offered. I feel reluctant to annoy or offend Mr. Macdonell in any

way, but, when the dignity and rights of the House are in question, I have to put aside all private feelings, and say that I regard this proceeding on his part as a gross offence against the privileges of this House, and I urge that it should be dealt with so that there may be no doubt hereafter, and so that nobody should have an opportunity of drawing into a precedent for misconduct the decision of the House in this case.

MR. MACKENZIE: As I said last year, I threw upon the hon. gentleman at the head of the Government the responsibility of deciding what action should be taken in reference to so gross a breach of the privileges of this House. He seemed reluctant to assume the responsibility; but he did assume it, and I have left it in his hands, because, in the first place, he the proper person to deal with it; and because, in the second place, he has the votes behind him to enable him to carry into effect anything he may decide to do. No one could help noticing that the hon. members opposite took a very great interest in this offender against the House and a prominent member of it. There seemed to be a disposition to consider the offence a trivial one. The hon. member for Glengarry (Mr. McLennan) was prepared with a written explanation to read for him, and, but for your declaring the motion to bring him to the Bar carried, he would have been spared any appearance at our Bar. Every effort was made to prevent his being brought before the Bar of the House. The hon. gentleman at the head of the Government tells us this is none of his business any more than it is the business of the youngest member of the House. The hon. gentleman will not find that doctrine accepted, where Parliamentary Government exists, or its usage are of any value. What do we find in the English Parliament? There, during the present Session, a member made use of offensive language, imputing improper motives to another member, whom the offending member satisfied by apologising; but the Chancellor of the Exchequer, as the leader of the House, was not willing that it should rest there; he determined to vindicate the privileges of Parliament. But here we have an utter stranger, allowed to sit on the left hand side of the Speaker of this House, who afforded him

a seat there—a privilege only accorded to distinguished persons—a seat of honour, the highest to which a stranger can be brought—and, whilst sitting there, he utters the most offensive language possible to a member of this House. If a political friend of mine had made use of such language in the House towards, say the late Minister of Militia, who occupies the corresponding seat on the Ministerial Benches, a very different course would have been taken with regard to him. But the person now before the House was connected with the Ontario Conservative Association, as its Secretary and organiser. Through him all the manipulations of the Tory party were carried on, and we cannot avoid seeing a determination on the part of hon. gentlemen opposite to save him from the opprobrium he so justly merits. But, if the hon. gentleman at the head of the Government thinks fit to take the responsibility of establishing such a scandalous precedent as this motion establishes for future reference and guidance in the Parliament of Canada, we, on this side of the House, protest most strongly against any breach of the privileges of Parliament, and shall throw the entire odium upon gentlemen opposite.

SIR JOHN A. MACDONALD: There is no necessity for the hon. gentleman to speak so warmly on this subject. A resolution was moved, and the hon. gentleman proposed an amendment, in order to meet the views of gentlemen opposite, and it was generally adopted by the whole House. The motion was amended and the conduct complained of was unanimously declared to be a breach of privilege. Therefore, the hon. gentleman says he throw the responsibility on me. Why, he has assumed the responsibility himself, and so has every member in the House. In discussing the matter, there was no necessity for the hon. gentleman to travel out of the record. It does not at all strengthen the privileges of this House to make the matter a matter of political party feeling. To declare any conduct a breach of privilege is the most grievous censure that can be passed, either in England or anywhere else. A breach of its privileges is the only offence that the House of Commons in England can take notice of. Some hon. member has made a remark about the letter sent

into this House by Mr. Macdonell. Well, I have grave doubts whether that letter—most offensive and improper as it was, most libellous and defamatory as it might be—was a breach of privilege. No language could be strong enough in censure of that letter. But the question is whether that letter, written beyond the precincts of this House—no matter how criminal, no matter how improper, or how offensive—is such a breach of privilege as we can deal with as a House of Commons. Thus, having a grave doubt in my own mind, there was not any necessity for me to do anything. Anything that I might do would, being thus doubtful, only weaken the action of this House respecting its privileges, and the protection of those clear privileges about which there can be no doubt.

MR. MILLS: The letter was sent into this House.

SIR JOHN A. MACDONALD: I take it that the hon. gentleman will not say that all the letters he has received have had regard to his dignity as a member of this House, as such, but only as an individual. If the hon. gentleman will look at the precedents, he will see that, for an offence of this kind to be a breach of the privileges of Parliament, it must be respecting the dignity of a member as a member, and not as an individual. Having this grave doubt, I thought it better to leave the matter where it was, namely: that there had been a gross breach of privilege in the language used in the House, without importing into the matter the very doubtful breach, if it was a breach, involved in the letter; but to take the feeling of the House with respect to the letter. Therefore, it seems to me that I was exercising only due discretion, in not giving undue importance to that letter, but in asking the House to, or agreeing that the House should, censure as a breach of privilege what was beyond mistake a breach of privilege.

MR. HOLTON: I quite agree with the right hon. gentleman that the motion now before the House is one that is of importance. The previous motion, unani- mously carried, with some verbal altera- tions, does charge Mr. Macdonell with being guilty of having violated the privi- leges of this House. We are now dealing with what purports to be an apology for that, and with a proposal that we should

accept it as final. Well, I think that apology is not complete. I doubt whether it ought to be accepted. I do not think the right hon. gentleman evinces a proper appreciation of the duties of his position. Notwithstanding what he has said, as to the equality of rights among members, he is, in a special manner, charged with the care of the privileges of this House. Now, I doubt much whether this pretended apology ought to be accepted without its including, and without the House insist- ing on its including, an apology to the member who was insulted in his place in this House and in respect to whom, this wanton outrage has been committed. The hon. gentlemen who have looked through cases to-day to prepare themselves for this discussion need not be told (for, although I have not referred to any book to-day, I have read something on this question be- fore), they will not dispute that an apology to the member insulted is insisted upon by the House of Commons; it is laid down clearly in May that it must be done. It was done only the other day, as we read, in the case of Mr. Plimsoll. Of course that case is not parallel with this, except in this regard, to establish the fact that an apolo- gy to the members who had been libelled, and against whom the charges had been improperly brought, was exacted; and that the vindication of the privileges of the House, apart from that, was insisted upon by Sir Stafford Northcote as leader of the House. But, apart altogether from precedent, I put it to the hon. gentlemen on the other side of the House whether it is to be tolerated, that a stranger should abuse his position on the floor of this House, abuse the courtesy of the House, and address offensive language, grossly insulting language, to a member of the House, sitting in his place in Parlia- ment, with whom he has no relations whatever, except the relations subsisting between a member of the House and an ordinary stranger admitted here in cour- tesy; whether it should be permitted; whether the House is prepared to take the responsibility of affirming, that this matter should be dismissed without an apology to the member insulted—in a manner that may occur to any of us any day—being insisted upon as a condition to his release from the penalties to which he is subjected, by having been guilty of a breach of the privileges of this House;

and this brings me to the masterly declaration made by my honoured and learned friend from North Simcoe (Mr. McCarthy), when he doubts whether this Parliament be either a Parliament or a simple corporation, or is empowered to vindicate its own privileges. I was astonished to hear that doctrine enunciated by him. One thing that I rejoiced to find in the British North America Act was that, for the first time outside of the British Islands, a Parliament was established. The Legislature of the Dominion was declared to be a Parliament. That either meant something or it meant nothing. I maintain that, within our jurisdiction, we have all the privileges that the House of Commons possess. We can vindicate our privileges, we can commit for any offence against our privileges, and I would like to see that right called in question before any Court of Superior Jurisdiction in this country. I simply desire to express that as my opinion, and not to enlarge the discussion beyond a protest, as emphatic as I can make it, against what I believe to be not only a false, but a dangerous doctrine—dangerous as belittling our position as a Parliament, and making light of our privileges. On the other question, I do hope that the hon. gentleman who must, perforce, take the responsibility of the decision to be arrived at to-day, will consider well whether we ought not, whether it is not due to a member of this House who has been insulted, or to any member who may be in the future insulted, to declare, that before we acquit a person guilty of a breach of the privileges of this House, who had grossly offended him—whether we will not, at least, demand that he should apologise to the offended member before he obtain such release. I should hope, therefore, that the hon. mover of this resolution would be advised to insert words to the purport that I have now indicated, providing that the discharge of Mr. Macdonell should be conditional upon his doing that which he, as a gentleman, is bound to do, which the House is bound, by its duty to its own members to insist upon, that is, that his apology should include a specific apology to the offended member.

MR. MCCARTHY: My hon. friend whose remarks upon questions of order and practice are always listened to with the greatest attention, and with almost

universal respect in this House, has ventured perhaps to go a little beyond the sphere which he travels on ordinary occasions and to indulge in a lecture upon Constitutional Law. For my part, while I am quite willing to accept that lecture upon an ordinary question of principle, I do venture to entertain upon this matter an opinion different from his own. If my hon. friend would look at the British North America Act, he will find there that the privileges and immunities enjoyed by this Parliament are such as this Parliament from time to time by Act of Parliament may choose to give to itself. As we never, except in one case, gave ourselves any privilege or immunity, we are therefore in the same position—although perhaps it may be humiliating to my hon. friend and to this House, to have to say so—we are in the position of any other Colonial Assembly. We have not the rights or the privileges, the undoubted privileges, which the British House of Commons possesses, and has possessed from time immemorial. If my hon. friend will look at the case decided in our own Supreme Court only two years ago, coming from Nova Scotia, he will find that the law laid down there, not simply as to our Local Legislatures, but also as to the power of this House, that until we give ourselves the rights which the House of Commons in England enjoys, and which we have the power to do by the 18th Section of the Act, we have no inherent right to interfere with the liberty of the subject. The 18th Section of the Act says:

“The privileges, immunities and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the members thereof, respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act, held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.”

Now, my hon. friend must know that we have never defined the word “privileges,” that we have to deal simply with the powers which that section gives to us, and, until we do define our powers, which ought to be defined and placed beyond doubt, we had better be careful how we interfere with the liberty of any

MR. HOLTON.

man, who is caused to be taken into custody, even if we think he has committed a breach of the privileges of this House. The hon. gentleman says that, before we discharge Mr. Macdonell, we should cause him to apologise to the hon. member for Shefford (Mr. Huntington). He is now not in custody; he does not require to be discharged; he has been summoned here, and he is not in the custody of the Sergeant at Arms.

Mr. HOLFON: Do not let us discuss the technical question as to whether he is in custody or not. Of course he is within call, and can be ordered to the Bar of the House to receive any sentence that this House may decide upon.

Mr. McCARTHY: I do not desire to discuss any technical question. My hon. friend is sometimes exceedingly technical himself, and keeps us strictly to the Rules of this House, if we do not know all the Rules which he has imbibed in the course of many years Parliamentary experience. Having said so much with regard to that question, I refer my hon. friend to the case of Landers and Woodsworth, which of course he has read, where that principle is clearly laid down. Let us pass now to the other branch of the question. My hon. friend, perhaps, is the only member on the other side of the House who has properly drawn attention to this point, that we are all agreed as to what, of that imputed, constitutes a breach of privilege. A twofold complaint was made. One was that Mr. Macdonell, while occupying a seat upon the floor of this House, used the language which has been referred to; the other is that he had written the note to a member sitting in his place in this House. The hon. gentleman who spoke from the other side said he was desirous that we should not overstep our limits. We have already said that this was a breach of privilege, and I take it that the only breach is in the words that were uttered on the floor of the House. It is too late for us to be going back now to enquire whether the sending of this letter was or was not a breach of privilege. In my humble opinion, it was not a breach of privilege, for this reason: that it was addressed to a member sitting in the House. If my hon. friend will look at *May*, he will find that a libel committed against a member of the House, is only a breach of privilege when it reflects upon him in his capacity as a

member of this House. Libels on members have always been punished, and constitute a breach of privilege. They must, however, concern the character or conduct of members in that capacity. Now, the charge in this letter did not concern the conduct of the hon. member for Shefford in his capacity as a member of the House. We are to determine that the utterance on the floor of this House was a breach of privilege, and I think we have made it equally clear what is meant by the words "breach of privilege." Well, having got to that point, what are we to do now? We ought not to allow political feelings to actuate us in the discharge of our duties. We ought not to allow ourselves to swerve from the position of a *quasi* judicial character which we occupy, but I must say that the speech made by the leader of the Opposition had a tendency to do that. The hon. gentleman stated that Mr. Macdonell was the manipulator of the Tory party. I would ask him whether his aim is to make political capital, because the gentleman who committed this offence against our privileges happened to be a prominent member of the Conservative Party? I think that now, that gentleman having come forward and apologised to this House for the breach of privilege, having made the most ample apology in his power, an apology as complete as any gentleman could make, I would ask whether he ought not to be relieved from further penalty. My hon. friend will reflect that this language complained of was not made to the hon. member for Shefford. It is only a breach of privilege of the House, and nothing more. Now let us, if we can recal for a moment the position we occupy. We are not merely here to assert our privileges. We are here also as the representatives of the people, and we must take good care that, sitting here as prosecutors and judges, without appeal, we do not go beyond what the law has declared to be the privileges of Parliament. I think that, as the gentleman has made that apology, we ought to accept it, and to say that the matter should there rest. If not, what are we to do? Will hon. members on the other side move any amendment embodying their opinions of what we ought to do? The privileges of this House are as much in the keeping of every member as of the leader of the



House. What, then, is the alternative of the proposition I have made? What does the hon. gentleman want us to do? Is it to commit the offender, as a penalty? Then why not place an amendment in the Speaker's hands to that effect? Is it to admonish? Is it to reprimand? What is proposed to be done with Mr. Macdonell? Do hon. gentlemen want him to go upon his knees, as in the olden time? I think, if the House will reflect calmly for a moment, they will see that perhaps we will best discharge our duties, and assert our privileges, in accepting the manly apology made in a manly form to this House. We know that the offence was not an intentional one, we know quite well that that happened when a very excited debate took place, when words were bandied across the floor of the House which were perhaps just as strong as those used by Mr. Macdonell, and for which we ought to be ashamed also. Now, nine months afterwards, this gentleman is summoned to our Bar, and I think we will best discharge our duties if we accept that apology and let this be the end of the matter.

MR. BLAKE: It had not been my intention to trouble the House with any observations during the discussion of this painful matter, which occurred when I was not a member of this House, but the argument of the hon. member for North Simcoe (Mr. McCarthy) as to our position as a Parliament, is so extraordinary, that I think it well to direct the attention of the House to the facts. If the hon. member would permit me to make a suggestion, it would be that he should for the future take care that he is, himself, quite right before he charges any other members, and particularly my friend from Chateauguay (Mr. Holton) with error in his statements. The hon. gentlemen affirmed that Parliament had not defined its privileges. Now, Sir, I would refer him to the Canadian Act of 1868, 31 Vict., cap. 23, which enacts as follows:—

“The Senate and the House of Commons respectively, and the members thereof respectively, shall hold, enjoy and exercise such and the like privileges, immunities and powers as at the time of the passing of the B. N. A. Act, 1867, were held, enjoyed and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof, so far as the same

are consistent with, and not repugnant to the said Act.”

The second section provides that

“Such privileges, immunities and powers shall.” (although the hon. member did not know it) “be deemed to be and shall be part of the General and Public Law of Canada; and it shall not be necessary to plead the same, but the same shall in all Courts in Canada and by, and before, all Judges, be taken notice of judicially.”

Therefore, Sir, we need not be alarmed as to our competence to do anything that the Imperial House of Commons might do under like circumstances. Nor have we been so neglectful in the exercise of the powers we possess as representatives of the people, as the hon. member for North Simcoe supposed, when he charged us with having allowed thirteen years to pass without defining our rights and privileges.

MR. CASGRAIN: I am glad the hon. member who has just spoken on this subject has made exactly the remark I was about to make when I rose. I am extremely sorry at the tone with which this debate is being conducted at the present moment. As the hon. member for North Simcoe (Mr. McCarthy) has said, we are sitting here, in respect to this matter, more in the character of a Judicial Committee than otherwise, and I am sorry to see that the hon. the Premier, as well as the other leaders of opinion in this House, do not take a more prominent part in this discussion.

MR. BUNSTER: I rise to a point of order. The hon. gentleman has already addressed the House two or three times.

MR. SPEAKER: He spoke on a previous motion, but not on this.

MR. CASGRAIN: I was about to remark that I regret that the apology which has been made by Mr. Macdonell is insufficient, in my opinion. In one sense, it is no apology at all, but rather an aggravation of the first offence. The words used were retracted, but not the writing. More than that, I see a lie in that apology. Why, Sir, when coolly and deliberately, he goes and writes, to repeat that the words he used were true, and when in that apology he comes in and says, “I did not say that to the hon. member for Shefford, I said it to a friend, my neighbour,” I say there is a downright lie in that apology, and no one can

MR. MCCARTHY.

look at it as anything else. For my part I do not accept it as an apology. And, since the hon. member for North Simcoe (Mr. McCarthy) has taunted the members on this side with not daring to propose an amendment, and as I have vainly waited for some other hon. gentleman to do so, I now beg leave, according to precedents and practice of Parliament to move the following amendment:—

That all the words after "that" in the main motion be struck out and that the following words be substituted:—"This House considers that an apology is due by Mr. Macdonell to the hon. member for Shefford, as well as to this House."

And I have discharged my duty and *je m'en lave les mains*.

MR. MACDONELL (North Lanark): Probably no one regrets more than myself the occasion on which I rise to address this House for the first time. But, when I hear such harsh language used against my friend and relative, I feel it my duty to say something in his defence. Mr. Macdonell states in his apology that he used the words unguardedly to a friend of his on his right, and that he did not address them personally to the hon. gentleman referred to in the motion before the House. I believe that his statement is true. I cannot believe that he stated a deliberate lie, as has been broadly affirmed on the floor of this House, because, knowing the gentleman as I do, having been brought up with him—and the blood which flows through his veins and through mine comes from a near ancestor—it is impossible for me to believe that what he has stated in his apology is not the truth. When he was ignominiously expelled from this House, he, doubtless, felt injured at such treatment, and, then and there, whether within the walls of this House or not I do not know, he wrote the letter which it complained of. I do not think this matter should be looked at from a political standpoint. When I consider how grossly I have been slandered in the contest which I have lately passed through, I am, nevertheless, glad to think that the people of this country do not always believe what is said against political opponents, and I do not think the hon. gentleman to whom this letter was addressed feels that it was meant as a personal insult to himself. I think we have nothing to do with the letter, for we have no evidence that it

was written within the precincts of this House. If we decline to accept as sufficient the apology he has made to this House, and to exact another apology from him to the hon. member for Shefford, it will have no value under the circumstances, for he may at once go out and publish in the newspapers that it was a forced apology, and did not express his real sentiments. Looking at this matter as I do, I think it my duty to vote for the original motion, and I would therefore ask my hon. friend who last spoke to withdraw his amendment.

MR. RYMAL: I rise reluctantly to say a word or two in reference to this matter. From the position where my seat is I was able to hear a great deal of what was passing when Mr. Macdonell abused the courtesy of this House. The hon. member for Shefford (Mr. Huntington) was making a speech in reply to the hon. member for Cardwell (Mr. White), and a very bitter discussion was going on. Whether Macdonell meant the language for Mr. Huntington, or whether he did not, it reached my ear very plainly. It also reached the hon. member for Shefford, while he was standing on his feet and addressing this House, for you must recollect very well, Mr. Speaker, that he called your attention to the fact that he could not answer two of those assailants at the same time—one of them being a stranger on the floor of the House by permission. He does not deserve the name of gentleman credited to him, as he has abused the confidence of Parliament, and, if treated by it as I think he should be, he should be excluded for this Parliament from the precincts of the House. I do not think that the words used by him in his apology were the only ones employed in attacking the hon. member for Shefford. They were repeated, however, in tones loud enough for me to hear. I regret this offence should have been committed, or that anyone should have been admitted to the House capable of abusing its privileges. You may say there is no political feeling in the treatment of this offence, but you would have to say so a good many times, and in tones louder than thunder, to make me believe it.

MR. BOULTBEE: While giving all attention and care to the protection of the privileges of Parliament, I think that we

ought not to attach too much importance to this matter. After all, I do not know whether the country feels as keenly about it as we do. Naturally, we all feel very proud of being members of Parliament. It is a very important position, and we do not want outsiders to cheapen us in any shape; we keep up our privileges as we best may, which is quite proper. But it is a matter of grave consideration whether we are adding to the dignity of this House, by attaching too much importance to this matter, by a lengthy debate, and showing over much feeling in discussing this resolution. It appears to me there is a very grave question as to how far the privileges of Parliament were invaded by the remarks made by John A. Macdonell, whom I have known for many years, and of whom I can satisfactorily say—and I am not ashamed, but I am glad to be able to say—that he is most decidedly what the member for South Wentworth (Mr. Rymal) says he is not, a gentleman. I think I am as good a judge as he is of what constitutes a gentleman. Rash and impetuous Mr. Macdonell is sometimes, with the hot blood of his race flowing through his veins, and feeling on this occasion that terms and accusations had been used in the debate, in regard to a gentleman here with whom he has peculiar relations, and for whom he has great respect, he gave expression to the language complained of; but there was nothing premeditated in it. It was only the utterance of a youth who thought his best friend was being insulted and aggrieved. It is not as to him, altogether, that we ought to be ashamed, but partly of those who, on that occasion, led him in the wrong direction, by using language they should have avoided. But I maintain he was in his rights, sitting at your left, and, I think that, when a man is in his rights sitting there, admitted by you, although he is on the floor of the House, his tongue is not altogether tied, so that he cannot talk quietly to any gentleman who may be sitting with him. Now, he did not address, and does not state he addressed those words to the member for Shefford. He was, unfortunately, overheard by some gentlemen who sat near, and who, probably, communicated the matter to the member for Shefford. Had he only spoken those words in a tone one or two

degrees, or notes, lower, so as not to have been overheard, there would have been no breach of privilege. So, after all, the offence lay in the tone of the voice at the moment. At any rate, Mr. Macdonell, summoned to the Bar, comes here and makes a fair, square, and, I think, ample apology to this House, whose dignity has been trenched upon, and we have passed a resolution to that effect. Surely it is not to our own dignity to pursue the matter further, and try to cover this gentleman with disgrace to his injury. It is not manly for us to attempt to use our power in that way. It is not advisable to exercise our great powers too stringently and harshly, and, after a young man like Mr. Macdonell has made a prompt and ample apology, to endeavour to humiliate him further is neither manly nor prudent.

MR. ANGLIN: I think it must be clear to every hon. gentleman that the House has not been insulted nor its privileges violated, unless the member for Shefford has been insulted. The hon. gentleman who has just sat down thinks we are dealing harshly or wish to deal harshly with Mr. Macdonell in urging this amendment. I think in passing the first resolution we all showed a disposition to deal very leniently with that gentleman. So long ago as 1733, the British House of Commons unanimously passed a resolution to the following effect:—

“That the assaulting, insulting, or menacing any member of this House, in his coming to or going from the House, or upon the account of his behaviour in Parliament, is an high infringement of the privilege of this House, a most outrageous and dangerous violation of the right of Parliament, and an high crime and misdemeanour.”

Now, if to insult a member on the way to or from the House, is as grave an offence as is here described, how much more grave and serious an offence is it to insult a member while in his place and addressing you, and, through you, the House, in the discharge of his duty as a member? A more serious offence it is scarcely possible to imagine. My own feeling is that, if Mr. Macdonell, instead of uttering those words, had risen and struck the member for Shefford a violent blow, he would not have committed a more serious violation of the privileges of Parliament. I think he is correct in

saying that he did not address those words directly to that hon. member, but I think, from what I heard at the time, that there would be no difficulty in proving they were used for the purpose of their being heard by that hon. gentleman. I believe Mr. Macdonell was labouring under excitement at the time. As I have said before, I have none but the kindest feeling towards him; he is an old acquaintance; but, as a member of the House, I have a duty to discharge which I cannot shirk. I am satisfied that Mr. Macdonell used those words repeatedly, with the intention that they should reach the ears of the member for Shefford. That is a very grave offence. I believe that the hon. member for Shefford does not attach much importance to the offence against himself, and I do not know why he should. But it is of very great importance that we should take such a course in this instance as, while dealing most leniently and tenderly with the offender, should fully and amply vindicate the rights and privileges of the House, and leave no doubt on the public mind as to what those rights and privileges are. It is our duty, without any regard to party feeling, to maintain the privileges and the dignity of this House. I did not expect that the motion made by the member for L'Islet would be made, but, as it has been made, it should be carried. The member for Shefford, I presume, neither expects nor desires that any apology should be made to himself directly. But, as the question has been raised, we should deal with it as the law of Parliament plainly requires. Similar cases have arisen in the Imperial Parliament where an apology offered the House was rejected, until accompanied by an ample apology to the member insulted. One of the latest cases, I think, is that of Wilks, who, in 1857 or 1858, having published a libel on a member, was arrested for the libel and detained in custody, the House refusing to accept his apology to itself until he apologised to the individual member insulted. Then he was liberated. This case is thoroughly in point. If the member for L'Islet presses his motion, I shall vote for it. I hope the leaders on both sides will combine to put this case on such a footing as will render it a sound and wholesome precedent for all time.

MR. ORTON: I may be allowed to say that, whatever object hon. gentlemen had

in urging this question with such earnestness, they at least have given us some pleasure in their exhibition of unusual cleverness in performing that delicate operation of hair-splitting. But the country is expecting somewhat more profitable work at our hands, and I hardly think it is willing to listen to the opinions of hon. gentlemen on this question at such great length.

*Motion made and question proposed:*

That the following words be added at the end of the main motion:—"That this House considers that an apology is due by Mr. John A. Macdonell to the hon. member for Shefford, as well as to this House."—(*Mr. Caspary.*)

*Motion in amendment negatived, on a division.*

*Motion made and question proposed:*

That Mr. Speaker do communicate the said resolution to Mr. John A. Macdonell, and do further inform him that, under all the circumstances of this case, this House taking into consideration the regret and apology made by him, at the Bar of this House, does not feel itself called upon to proceed further in the said matter.

*Motion agreed to, on a division.*

Mr. John A. Macdonell was again called in.

MR. SPEAKER: I have been ordered by the House to communicate to you the following resolution:—

"That having, as he admits, used the offensive words towards the hon. member for Shefford, complainant of by the Hon. Mr. Mackenzie, member for Lambton, in his place on the 12th of May last, was, by his said conduct, guilty of a breach of the privileges of this House, but that under all the circumstances of this case, the House, taking into consideration the regret and apology made by him at the Bar of the House, does not feel itself called upon to proceed further in this matter."

Mr. John A. Macdonell was then directed to withdraw, and discharged from further attendance.

INSOLVENCY ACTS REPEAL BILL.—  
[BILL 2.]

(*Mr. Colby.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee.

(In the Committee.)

MR. COLBY: There is a continuing clause in this Bill with reference to pending causes. I would draw the attention of the Committee to the phraseology of

the clause. It continues any cases where an assignee has been appointed before the passing of the Act. That may, perhaps, make a little ambiguity and doubt as to whether the assignee referred to is the official assignee or the creditors, assignee. In compliance with a suggestion made to me, I desire to have that clause amended by the changing of the phraseology "assignee has been appointed" in the 14th and 15th lines, to "the estate of an insolvent has been invested in an official assignee."

Progress *ordered* to be reported.  
House *resumed*.

(In the House.)

Progress *reported*.

#### BILLS WITHDRAWN.

The Orders for the second reading of the following Bills were severally *discharged*, and the Bills *withdrawn* :—

Bill (No. 5) To legalise the marriage with the sister of a deceased wife.—(*Mr. Girouard, Jacques Cartier.*)

Bill (No. 8) To amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down Rivers and Streams.—(*Mr. White, North Renfrew.*)

House adjourned at

Five minutes before  
Six o'clock.

### HOUSE OF COMMONS.

Wednesday, 25th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

#### CONTROVERTED ELECTION.

##### JUDGE'S CERTIFICATE.

MR. SPEAKER informed the House, that he had received from the Hon. Mr. Justice Caron, one of the Judges selected for the trial of Election Petitions, pursuant to the Dominion Controverted Elections Act, 1874, a certificate in the matter of the Controverted Election for the Electoral District of Portneuf, declaring the sitting member duly elected.

#### BILLS INTRODUCED.

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

Bill (No. 29) To amend the Act intitled an Act to incorporate the Anchor Marine Insurance Company.—(*Mr. Cameron, South Huron.*)

MR. COLBY.

Bill (No. 30) To legalise marriage with the sister of a deceased wife.—(*Mr. Girouard, Jacques Cartier.*)

#### PRIVILEGE—THE MEMBER FOR LENNOX.

##### MOTION TO REFER PETITION.

MR. CASEY: I rise to discharge a painful duty connected with the privileges of this House. I rise to move:

That the petition of Thomas Henderson and others, praying that Edmund Hooper, Esq., member for the Electoral Division of Lennox, be declared an unfit and improper person to represent that Electoral Division in this House, and for other and further relief, be referred to the Select Standing Committee on Privileges and Elections, with instructions to that Committee to enquire into the allegations contained in the said petition, and report thereon to this House.

In making this motion, I think I am not only following the best precedents which I could find, but also the course best calculated to insure a fair and judicial consideration of the charges made in the petition. The gravamen of the charge is that this gentleman, Mr. Hooper, who was the Treasurer of the United Counties of Lennox and Addington, misapplied certain sums belonging to the United Counties, and afterwards sums belonging to the county of Lennox. The petition goes on to state, in support of these charges, that a Commission was issued by the Government of Ontario under the Statute in that case provided, to examine into the Treasurer's accounts and report to the Provincial Government. That Commission reported that Mr. Hooper had misapplied certain sums of money, amounting in all to over \$32,000—that in fact he was a defaulter to that extent, and had defrauded the county to the extent of those \$32,000. I mention these facts, not with any intention of prejudicing the case, or of arguing whether these grounds are sufficient cause for his expulsion, or any thing of that sort, but simply to show that there is a *prima facie* case against this member who is attacked such as will require further examination before a Committee of the House. In alleging that the report of certain Commissioners is *prima facie* evidence, I may refer to a case that took place in England, where one James Hunt, a member of the English House of Commons, was charged with financial misbehaviour in the Ordnance Department, on the report of a

Commission which had been appointed to enquire into the matter, and Mr. Hunt was summoned to attend in his place in the House. He did not, however, respond to the summons, and the case was proceeded with. A letter was put in by him in which he made a defence, and notwithstanding this defence, and without further enquiry, the House decided to expel the member in question. Now, I am not arguing for the immediate expulsion of this member at present. I am only arguing for an enquiry, and basing my request on the report of this Commission. We have a precedent nearer home for referring cases, which seem to require examination, to the Committee on Privileges and Elections. I allude to the case which came up in the Session of 1877, in which the hon. member for Gloucester (Mr. Anglin), then Speaker of this House, was charged with having taken contracts that a member of Parliament should not have taken. This charge was made on the basis of certain documents before the House; and, on my own motion, it was agreed that these documents should be referred to the Committee on Privileges and Elections, with instructions to enquire into the case. The enquiry was made and the Committee reported accordingly. The Commission in the present case was regularly constituted, and had power to compel the attendance of witnesses, and take evidence on oath. It sat for two months, compelled the attendance of witnesses, took evidence on oath, and made this report in due form. I hold that the report of that Commission furnishes a good *prima facie* case, and one which will require further investigation before this House can allow the matter to pass. I submit my motion now, without further amendment.

SIR JOHN A. MACDONALD: I was not aware that the hon. gentleman was going to make this motion to-day, or to move in the matter at all; therefore, I would ask him to allow the matter to stand over until a future day, in order to give us an opportunity of considering it.

MR. CASEY: Well, will the hon. gentleman fix a day on which he would be willing to go on with this matter, which is one of some urgency.

SIR JOHN A. MACDONALD: I do not see the urgency. I have not read

the petition itself, but I have seen the petition that was published in the newspapers.

MR. CASEY: That is the same petition.

MR. BLAKE: I think it will be extremely inconvenient that the debate should proceed now. I think, as on former occasions, that the petition should be printed in the Votes and Proceedings, for the use of the House, in order that we may know what we are called upon to deal with.

SIR JOHN A. MACDONALD: Then I will move that the debate be adjourned, and that the petition mentioned be printed in the Votes and Proceedings.

Motion agreed to, and Debate adjourned.

#### DRAWBACK ON INDIAN CORN.

##### QUESTION.

MR. CASEY enquired, Whether the Government intend to allow a drawback on Indian corn, imported for feeding cattle, equal to that allowed on Indian corn imported for the manufacture of starch.

MR. BOWELL: I can inform the hon. gentleman that, so soon as the hon. member, or anyone else, can prove to the Government that the residue left over for fertilising or other purposes amounts to  $2\frac{1}{2}$  per cent. of the value of the duty paid on the corn, that being the proportion allowed on that imported into the country which goes into the manufacture of corn starch, the Government will consider the question.

#### SHELburne HARBOUR -- LIGHT AT SAND POINT.

##### QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to accept any of the tenders submitted to the Department of Marine and Fisheries, for the erection of the Harbour Light upon the spit at Sand Point, Shelburne Harbour, and if the building is to be commenced and completed during the coming season.

MR. POPE (Queen's, P. E. I.): It is the intention of the Government to accept one of the tenders for the erection of a lighthouse at Sand Point, Shelburne Harbour.

**INTERCOLONIAL RAILWAY—CONNECTION AT QUEBEC.**

**QUESTION.**

MR. VALLÉE enquired, Whether it is the intention of the Government to construct, during the coming summer, a branch of the Intercolonial Railway between St. Michel and St. Joseph de Lévis, and to connect the Intercolonial Railway with the Quebec, Montreal, Ottawa and Occidental Railway, by means of a ferry running regularly between St. Joseph de Lévis and Quebec.

SIR CHARLES TUPPER: The subject is now engaging the attention of the Government.

**LUNENBURG COUNTY—BREAKWATER AT CHERRY POINT.**

**QUESTION.**

MR. KAULBACH enquired, Whether it is the intention of the Government to provide a breakwater at Cherry Point, Petit Rivière, County Lunenburg, and if so, whether they intend proceeding with the work the coming summer.

MR. LANGEVIN: A survey has been made at another point on that coast, but we have not yet made up our mind whether that is the proper point or not; therefore, an additional survey will be required, in order to determine whether the point at which the survey was made last year is the proper point, or whether this one is.

**GRAND TRUNK RAILWAY—UNIFORM FREIGHT RATES.**

**QUESTION.**

MR. MERNER enquired, Whether the Government have it in their power to compel the Grand Trunk Railway Company to charge one uniform rate for conveying freight over their entire line, be the distance short or long.

SIR CHARLES TUPPER: I believe the Government has not the power.

**RED RIVER—DREDGING AT THE MOUTH.**

**QUESTION.**

MR. SCHULTZ enquired, Whether it is the intention of the Government to dredge the bar at the principal mouth of the Red River.

MR. LANGEVIN: This matter is engaging the attention of my Department, but I am not yet in a position to give a positive answer to the hon. gentleman.

MR. VALLÉE.

**SCOTT'S BAY HARBOUR WORKS.**

**QUESTION.**

MR. BORDEN enquired, Whether the Government will provide in the Estimates for the construction of a small additional breakwater, to complete the Harbour Works at Scott's Bay, and render useful the expenditure already made thereon.

MR. LANGEVIN: The matter has been looked into, but I am under the impression, after looking into the whole case, that the works at present existing may be considered sufficient, at all events for the present; therefore I cannot make any additional promise.

**NEW BRUNSWICK—CLAIMS AGAINST THE DOMINION.**

**QUESTION.**

MR. BURPEE (Sunbury) enquired, Whether the Government have decided to pay the several claims, or any one of the claims, made by the Government of New Brunswick against the Government of this Dominion; if so, the amounts allowed on each such claim.

SIR SAMUEL L. TILLEY: An Order in Council has recently been passed dealing with the various claims that have been presented by the Government of New Brunswick; and I would suggest to the hon. gentleman, if he would allow me to do so, that he should move for the Order in Council to be brought down. He would find it would be more complete.

**NEW BRUNSWICK CONVICTS FOR DORCHESTER PENITENTIARY.**

**QUESTION.**

SIR ALBERT J. SMITH enquired, Whether the Government have fixed the time for sending the convicts to the Penitentiary, Dorchester, N. B., and if so, what is the time.

MR. McDONALD (Pictou): The time has not yet come for the removal of the convicts to the Penitentiary, but I trust in a few weeks to be able to give the information to my hon. friend.

**PROHIBITION OF THE LANDING OF EMIGRANTS.**

**MOTION FOR ORDER IN COUNCIL.**

MR. FLEMING moved for an Address for a copy of the Order in Council prohibiting the landing of emigrants at the port of Halifax, who are not possessed of the

sum of twenty dollars. He said: in making the motion, I may say that the Order in Council, respecting emigrants seems to me to be at variance with the practice heretofore pursued. In the old Province of Canada, as well as in the Dominion since Confederation, it has always been the policy, or at least the professed policy of those at the head of the Emigration Department to aid and assist the poor emigrant when he came to our shores. No stipulation was made that they should have 20 many dollars in their possession. If he did not belong to the class whose labour was required in this country, no inducement was held out to him to come; but when he did so come he was not turned back, he was at least kindly treated and a chance given him to better his position. There is one class of emigrants, namely, agricultural labourers, whose services always have been in demand; and I do not think any evil has resulted from the admission of this class up to last year. In the hon. the Minister of Agriculture's Report for last year, we have the testimony of several of the Emigration Agents on that point. Mr. Donaldson, Toronto Agent, reports: "Notwithstanding all reports to the contrary, all emigrants seeking employment were readily placed immediately on arrival." Mr. Smith, Hamilton Agent, states that "he had no difficulty in obtaining work for all classes of both farm and common labourers." Mr. Smyth, the London, Ont., Agent, reports that "he had no difficulty in providing employment for agricultural labourers, and that in many cases the demand of farmers could not be supplied." I am aware that by the Immigration Act of 1869 power is given to the Governor in Council, when deemed necessary, to issue a Proclamation prohibiting the landing of pauper or destitute immigrants until a sum of money sufficient for their support and transport to their places of destination was provided; but this power was not exercised, it remained in abeyance, and only last month was put in force. The question may be asked, what necessity is there for it now? It is said that last season there was a much larger emigration than usual by way of the St. Lawrence, that the persons who came were not of the proper class, that there was no employment for them, that the emigrants are a burden upon the St. George's, St.

Patrick's, St. Andrew's and other charitable Societies in the large cities, and that a stop should be put to them coming into the country unless they have the means to pay for their support. In reply to this, I would say that the proper course to pursue is to check the evil at the commencement, at the places of embarkation. Grant no passenger warrants at reduced rates unless to parties who are really wanted in the country. The form of passenger warrants in use last year left the door open for the admission of a class of persons to whom no encouragement should be given to come to the country. Any one could obtain a warrant who could say "he intended to follow the occupation of a farmer." Of course almost every one could say that without any great compunction of conscience, and the result had been just as has been described; and now, by this Order in Council, we fly to the other extreme; we prohibit everybody from coming into the country, be he agricultural labourer or not, unless he is able to show that he has \$20 in his pocket. The effect of this policy will be to drive away many an excellent man from the Dominion. We must remember that if we are indifferent about emigrants there are other countries who are ready to receive them. Out of the eight millions of emigrants who have gone to the United States, six millions have landed at the port of New York. A considerable portion of these have been in indigent circumstances, but the Commissioners of Emigration of that State see that their wants are attended to, work provided for them, or they are forwarded into the country. In some cases the money expended is, by the emigrant, refunded when he has secured work; in others it is taken out of a fund kept for that purpose, supported by a tax on each emigrant of two dollars per head.—a tax similar to what we ourselves impose. The Australian Colonies are also our competitors in the demand for emigrants. They have all contributed very liberally of their means to encourage emigration. In 1876, 38,628 landed in New South Wales;—6,018 of these were assorted; 22,596 entered Queensland, aid was given to 5,785; 14,161 went to South Australia, 4,947 were helped. In the same year, New Zealand received 12,987; out of these 5,344 received aid from the Government of the Colony.



New Zealand with a territory less than half the size of Quebec, and with less than a fourth of the population of the Dominion, appropriated in the year named no less a sum than \$595,500 for the introduction and location of emigrants. The question of emigration, so far as it relates to agricultural labour, is a very important one from a farmer's point of view. The farmers in the older portions of Ontario, such as those in the constituency I have the honour to represent, cannot shut their eyes to the prospect before them, as presented by the opening up of the Great North-West. They are contributing their share of the taxes necessary to develop that country, and build a railway to carry its produce to market; at the same time it is plain and obvious that that great territory will soon be their most powerful rival. In order that the farmers of Ontario may be able to compete with any degree of success two things are necessary—1st, better cultivation of the soil; 2nd, a more liberal application of manure. With regard to the latter the farmers in my neighbourhood have turned their attention to feeding cattle in winter in order to get manure to enrich the ground. The demand for beef cattle in the Old Country has added an additional stimulus; however, I cannot help noticing that the duty imposed upon corn forms a very obnoxious tax, and greatly diminishes the farmer's profit. With regard to the better cultivation of the soil, the question of Emigration has an important bearing. Labour of the right kind at a reasonable rate is just what is required and here the agricultural labourer willing to work, no matter how poor, is the man in the right place. I have here a letter received from one of my constituents the other day, in which the writer says, alluding to this subject: "I have a man working for me now who came from the North of Ireland last fall. When he landed at Quebec all he had was half a crown (60c.) I got him from the Emigration Agent in Toronto. He is a good farm hand, and likes the country." Had the Order in Council been passed at the time this emigrant came, he would not have been allowed to come into the country, and the farmer would have been deprived of a good hand. This is a fair illustration of how this prohibitory enact-

ment will work. It is generally acknowledged that poverty is a misfortune, but it does not follow that it is a crime; but to prohibit a poor man from coming into the country is to treat him as a criminal. Indeed, looking at the action of the Government in this matter, he is considered a more dangerous person than a criminal. By the Immigration Amendment Act of 1872, power is given to the Governor in Council, by Proclamation, when deemed necessary, to prohibit the landing in Canada of any criminal or other vicious class of emigrants. Yet, no such proclamation has ever been issued; so that in reality the poor emigrant is put in a worse condition than the criminal. Surely the able-bodied emigrant, whose capital consists of a willing hand and a strong arm, who asks only for leave to earn his bread by the sweat of his brow, is entitled to better treatment. I do not say that we ought to admit, indiscriminately, all persons. There ought to be some discrimination, certainly; but surely some scheme can be devised that will do away with the necessity for this indiscriminate prohibition of suitable and unsuitable emigrants. We must not decline to accept the wheat because there is some chaff in it. It is better to devise some innuring process by which what is good may be retained, and what is worthless rejected.

MR. POPE (Compton): I am sorry that I could not hear exactly what the hon. gentleman said. I did, however, catch a little at the end of his remarks. I think he said there should be a discrimination with regard to the emigrants coming here. He is ready to admit that all classes should not be allowed to come in. But who is to discriminate if there is to be a discrimination? He says this should be done at the port where the emigrants are embarked. Let me tell my hon. friend, that before the month of December, I had tried in every way I could to stop the emigration of people that were without means, and could not be supplied with work. The answers I received from the emigration agents at the ports of embarkation were, that they had warned unsuitable emigrants not to come, that they had told them that during the winter there were labourers running around the streets here without work; and that the

emigrants had replied that they could not be any worse off than they were in the Old Country, and that they would run their chance of coming, whether they could find work or not. Undoubtedly there has been a larger emigration this winter than there has ever been before at this time of the year. But the cause of this is easily explained. The tenant farmers who had come to this country had told of the increased prosperity of Canada, and had placed Canada in a more favourable light in Great Britain than she had ever been before, one evidence of which is the enhanced value of all Canadian securities in the British money market. Seeing this state of feeling, I recommended the passing of this Order, because when complaints were made of our having people landed at Halifax who had been sent west, and were walking the streets in Ontario and Quebec, as well as in the Lower Provinces, and who could not be provided with work, I had no other course to pursue. The hon. gentleman's organ, the *Toronto Globe*, said that we were allowing our cities to be flooded with poor people, who, for their support, must be a burden on the country; and from London, St. Catharines, and other towns, we found the same cry coming. I thought it my duty, when I found the agents on the other side could not stop these emigrants, to stop their being admitted here, and for that reason the Order in Council was passed. For the month of November and up to the middle of December, when the Order in Council was passed, the expenses of bringing these people west amounted to \$12,000—much more than we were willing to pay. We could not find employment for these new arrivals, and it was my bounden duty, in the interests of the country and of the emigrants themselves, as well as in the interest of our own workmen, of whom there are many out of employment and unable to obtain it, not to allow men to make the situation worse of those who were here already. In 1872, at the urgent request of the Government of Ontario, we made arrangements, which have been carried out ever since, that the Government of the Dominion should pay one-third of the whole of the cost of providing passages for emigrants coming to Ontario; the Government of Ontario

paying the remainder, if I recollect aright. I have seen some discussion intended to show that the Dominion Government had forced this upon the people of Ontario, who, let me say, had their agent in Quebec, who does the same thing to every man who goes to Toronto, that is, issues a ticket which entitles him to receive a passage west from our agent. We are not at all responsible for the Ontario agent. That gentleman himself asks for a free pass for each emigrant and gets it. I will read one or two extracts from the *Toronto Globe* in reference to this question:—

“Canada has been suffering for months past, is suffering keenly just now, and will continue to suffer for months to come, from the disastrous emigration policy of the present Dominion Government. From all quarters—Halifax, St. John, Quebec, Montreal, Ottawa, Kingston, Port Hope, Hamilton, St. Catharines and many other places—comes the wail of the poor people who have been brought out on the false representations of agents, at a time of year when even the emigrants the country requires and can absorb, should cease to seek our shores. For years past the regulations guiding and restraining agents have been beneficially stringent, but under the pressure of steamship owners, whose wish in the matter the Government dared not ignore, these regulations were relaxed, the result being the granting of assisted passages to thousands who should never have been brought out here at all. \* \* \* Even in the case of those whose passages were not assisted, steps should have been taken to put a stop to the operations of steamboat agents in Europe, who have undoubtedly been guilty of circulating misrepresentations in their own and their employers' interest.”

So far from the regulations being relaxed they were made much more stringent. At the time I first assumed office, I inaugurated the policy of aiding emigration, there being then a scarcity of men in the country; and in proof of that, I would cite the Act then passed, enabling emigration aid societies to be formed, and these contributed thousands of dollars to bring labourers here. Although that Act has been on the Statute-book ever since, not one of these societies is now in operation. I did employ passenger brokers to induce labouring men to come to this country. But when I resumed office in 1878, what did I find? I found the labour market depressed and overstocked; I found that we could not fully employ the men we already had in this country, and consequently I told these shipowners that we could no longer give their agents any com-

mission whatever, and that no assistance could continue to be given to emigrants coming to this country other than those following agricultural pursuits. It is folly for the *Globe* or anybody else to maintain the contrary, but here is what the *Globe* says of it :—

“The *Mail* and *Montreal Gazette* both attempt to remove from the Dominion Government all responsibility for the recent influx of undesirable emigrants. It is worthy of notice that neither of them has a word to say, either of denial or defence, of the change made in the specification of the class of persons invited to come over on assisted passages. If, as the *Mail* and *Gazette* say, no money has been paid to the steamship companies, except for such emigrants as have actually settled on land, and are engaged in its cultivation, so much the better. It will be interesting to hear from the local agents, who are expected to certify to the settlement, what steps they have taken to guarantee the country against frauds, and whether they pretend to be able to trace to their destination all the emigrants who pass through their hands.”

Now, as I said before, the Toronto Government paid two-thirds of the expense of passengers from Quebec to Ontario, the balance being paid by this Government. And if the *Globe* found, at that time, that from every city the cry went up that they were being filled with people of the class of which it complained, it was not due to the changed system. But to show more clearly how the *Globe* felt, I will read an article written a little later :

“A new Order in Council of the Dominion Government prohibits the landing of any emigrant who has not twenty dollars in his pocket on reaching a Canadian port. The steamship companies are required to pay to the emigration agent twenty dollars for the transport of each immigrant to his place of destination. That the order is well intended we do not doubt. But it proceeds from a total misconception of the object sought. No one wants to keep poor men out of the country. If good men have nothing at the beginning they will not long be penniless.”

Now, we find the organ of these gentlemen, within ten days from the time of its declaring that no more poor people should be brought into this country, when, as it alleged, the streets of all the principal cities of Canada were already filled with them, and when they were a burden upon this country—we find it declaring that these are the very men we want, whether they have any money or not, whether they were penniless or not. How are you

going to meet these gentlemen? How are you going to satisfy people that will be satisfied with nothing? I admit that this cry of dissatisfaction had an influence upon the Government since the public press has an influence upon every public man, and like representations were made by other journals supporting the Administration. We ought not to stop emigration to this country. But people are now coming here who can support themselves through the winter that are not going to be a burden upon the people of this country, and these are the kind of people that we want. My hon. friend said there never was a tax before. Well, I have this to say: Previous to 1872 there was always a tax; every emigrant that came to the country, whether he stopped here or whether he passed through, paid a tax of two dollars.

MR. MACKENZIE: This is not a tax; it is a fine.

MR. POPE (Compton): It is not a fine, it is a precaution during a time of the year when we cannot employ our own people, against those coming into this country who have no means; in order that our own people may not be taxed to pay their expenses from the port where they land to their destination and support them afterwards. It is meant to protect the labouring men of this country from outside labour, which would be brought here to add to the glut of the labour market during the winter months. When spring opens, and the steamers begin to arrive in Quebec, this regulation will cease. It was to meet the demands of the country, and to meet the emergency which was upon us. This Order in Council; the Government will not repeal but it will expire of itself about the 1st of April next. We feel that it has worked well. We know that we are going to get a considerable amount of emigration next month, and we believe that this arrangement will not keep a single man away whom it is desirable to have in this country. But that is not the only thing which is complained of. We are told that we are asking people to come to this country who are not farmers, who were only intending to become so. Well, Sir, I admit we did ask them to come to this country, because we had many examples before us of men who had never been farmers, coming here and becoming most

MR. POPE.

successful farmers. Perth and its neighbourhood, for instance, are settled by that class, and there are many other places in which blacksmiths and other mechanics have settled and have become the best farmers in the country. Those are some of the classes of people that we want, and I hope we shall get them in the future. The interests of the country require that we should encourage the emigration of such men in every possible way, but not to pay large sums for that purpose. The Governments of Australia and New Zealand pay very large sums on that account. In the latter colony, I find that emigrants cost the Government \$65 a head to bring them there. But we are prepared to give such encouragement to emigrants as we believe the circumstances of this country require; and when we think that we are better without them, and that the people themselves are better off not to come here, we will not shrink from taking the responsibility of saying so.

MR. MILLS: The hon. gentleman has informed us that the National Policy has not produced those great advantages which the Government expected of it. He informs us that there are poor people scattered abroad over the country, that in every town and city there is a large number of people out of employment. I believe that is a fact. I have no doubt whatever, that many of these people have left the country. I have been informed that in the City of Ottawa, there are 732 vacant dwellings, representing with the lodgers, a population of between 4,000 and 5,000, who have withdrawn from the city, and who have gone to the neighbouring Republic to seek the means of sustenance which they could not obtain here. One would suppose that this large removal of the poorer classes would leave those behind in better circumstances, but this does not seem to be the case. The day before yesterday a large number of people out of employment voluntarily came to the doors of this House, and asked the Government to fulfil those pledges which it had made to the workingmen on the eve of the last Dominion elections; when the gentlemen now in power promised the workingmen, that if they succeeded in regaining possession of the Treasury Benches, every labouring man should have work. This promise reminds me much of the prospec-

tus of the Land Sale in the story of Martin Chuzzlewit. We are all aware, from the description given in that story, of the place called Eden, on the Missouri River. We know the difficulties that Martin Chuzzlewit and Mark Topley encountered, after they got there. The promises of the hon. gentlemen upon the Treasury Benches during the late election, were very much of the same class. They said: "We are not flies on the wheel. We are not incapable men. We do not belong to the class of incapable politicians to which the hon. gentlemen belong, who occupy the Treasury Benches. We are statesmen. Permit us to get into power and get hold of the Government, and then we will show you what statesmen can do. There will not be one labourer out of employment; people will everywhere have plenty to subsist upon. The labourer will get a good day's pay for a good day's work." These were, in effect, the words used by the right hon. gentleman at the head of the Government. These predictions have been realised precisely as were those made to Martin Chuzzlewit about the advantages of Eden. Now, Sir, the hon. the Minister of Agriculture has told the House that we have poor enough at home, that we do not wish our market to be crowded with people from abroad; why then invite any person to come here? The hon. gentleman has been acting on the principle of protection to home manufacture. He feels that, in order to have the poor in this country and to give them a fair chance to subsist upon the charity of the rest of the population, it is absolutely necessary that those who come here from abroad and without means shall be compelled to return to the country whence they came. Now, Sir, we see how helpless the hon. gentlemen are to remove the depression which exists in this country; how helpless they are to take the first step towards restoring that prosperity which they predicted would meet them on their return to power, and which they led the people to expect would instantly revive if they came back to the Treasury Benches. These gentlemen have practically advertised that this shop is closed to the poor; that those who wish to leave their native land in Europe, must seek a home somewhere else, and that if they come to this country without a cer-

tain sum of money, it will be impossible for them to subsist, even if permitted to land, and that the Government will require to put forth all its efforts, and to call into play all the resources that exist in the fertile brain of the First Minister and of the gentlemen with whom he has surrounded himself to prevent all classes from rapidly reaching the conclusion that the elections were won by false pretences.

Mr. THOMPSON (Cariboo) : The hon. gentleman has been speaking much about the surplus population of Europe coming here without sufficient means to enable them to subsist after their arrival. That is all very well; but this is a matter affecting not only that portion of the Dominion bordering upon the Atlantic, but that portion bordering upon the Pacific. When we are talking of this matter, we must consider, not only emigrants landing at Halifax without twenty dollars in their pockets, but we must also take into account the emigration into British Columbia of the overflowing pauper population of China. If we should look at the resources of emigrants landing at Halifax, in order to prevent them from becoming a burden upon the people of this country, we should also look into the resources of emigrants landing upon the Pacific coast, for the same reason. The flood of Chinese emigration is constantly increasing, imposing a heavy burden upon the people of British Columbia, filling our prisons, our hospitals, and our asylums. In every one, they are a serious burden upon public resources. Regulations even more stringent than those at present existing, if possible, should be enacted, in order to protect the people of the Pacific coast from the evils attendant on the emigration of Chinese paupers.

Mr. BAIN : The hon. the Minister of Agriculture is under a debt of gratitude to the hon. member for North Brant (Mr. Fleming) for moving in this matter to enable him to make these explanations to the House which he has given. These explanations indicate that a class of emigrants that have become a burden on the cities, were not receiving aid in the shape of reduced passenger warrants through our Government or were in any way facilitated by the Government agents in coming here from the Old Country. I think that this must go a long way to exonerate the hon. the Minister of

Agriculture for the steps he has taken. But I listened with considerable amusement to his statement, as indicating that that prosperity we were promised under the National Policy, certainly, had not reached our shores, or else the influx of a few destitute emigrants certainly would not have been placed in the position of having to seek aid where they should have found remunerative employment, if the manufacturing "hum" had its advent. If there is one thing more than another of a nature to convince us that all the talk we have had about reviving prosperity is nothing but talk, it is the statements that have been made to-day by the hon. the Minister of Agriculture and the member for Cariboo, who has just sat down. They proved that after all the "boom" we have heard so much about exists chiefly in their imagination. It has been my lot to take a good deal of interest in this emigration question, and, notwithstanding that the Minister of Agriculture feels so sensitive with respect to the attacks of the *Globe* upon his policy, I beg to assure him that the *Globe* does not represent the whole sentiment of Ontario, but the annoyance he feels at the attack of that journal goes to indicate that it wields a strong influence, and that people attach a good deal of credence to statements made by that paper, and that is more than I can say with reference to some other newspapers published in Ontario that supports the hon. gentleman's policy. What we particularly need for the future prosperity of our country is an increase of population. If they come to our country with money, so much the better, but if they come with strong hands and a determined resolution to pull their way through, we are very glad to welcome them. We have heard much about the American system of emigration, and the economy with which they expend the public funds for this object, but I find, in looking over their reports, that the State of New York alone has, for several years, voted \$150,000 per annum, which is expended for the care of emigrants after reaching their shores. As the member for North Brant correctly remarked, seven out of every eight emigrants reaching the shores of the United States for many years back have landed at the port of New York. They have seen fit to impose certain restrictions, and I think

I may say that there is not a member within the hearing of my voice who will not say that they are just and proper restrictions. They object to receiving the pauper or the criminal population of other countries, or those who are idiotic or imbecile, or likely to be a burden upon the people of the country, unless accompanied by friends able and willing to maintain them. I think that one reason why this difficulty has occurred in our own emigration policy has been that the hon. the Minister of Agriculture has joined with his friends in the cry that was made when they were so anxious to get back into power at the last General Elections, and bitterly attacked the emigration policy of their predecessors, that everything was going to ruin and decay, and that we had no need or employment for emigrants; and one result of that policy was to reduce the number of the agents of the Government in the Mother Country, who were charged with the duty of promoting and directing emigration. I remember that, in the Emigration Committee of 1878, such a cry as is now complained of was raised against the Government of that day by the Conservative press of this city, and the Government and their agents were charged with bringing masses of people from the Old Country that were a burden upon our resources, and were crowding our cities with idlers during the winters. The emigration agent of this city took the matter in hand, and announced in the public prints of this city that he would receive applications from labourers who were out of employment, and who were either willing to go to work, or wished aid to remove to other parts of the Dominion, where they could help themselves. After this notice had been out several days, what was the result? Simply this: that, out of the whole of that exaggerated statement of the great numbers who were out of employment at that time, there were less than sixty applicants, and some of them were born in the country, and not one of them but had been a resident of this country for the five years previous. That was the most convincing proof that could be offered that the emigration system of the present Opposition, who were then in power, had been a successful one, and that it did not fill our cities with a population that was a burden to them

during the winter months. My experience is that there are a certain class that are everywhere found lingering about the cities, and are unwilling to go into the country among the farmers to earn an honest livelihood. I think that the system which has been in existence for some years, under the former Government, has been found to work well, where the Government Agents in the Old Country have exercised proper care not to grant certificates for reduced rate passenger warrants, except to those that were *bonâ fide* agricultural labourers, or likely to make useful settlers, instead of as now, only asking them to sign a declaration to that effect, under inducements from steamship agents, who thus secure a bonus on each one they induce to emigrate. In the Province of Ontario, it has been found that a successful agricultural labourer, after a few years' employment with a farmer, becomes anxious to secure a piece of land for himself, and, with a reasonable amount of success, he is in a position to work on to a free-grant section or to go to the prairies of the North-West. The consequence is that the farmers in Ontario are placed in that position; that the very men they desire to keep are just the men that move off into the new settlements, and become, in a few years, employers of labour in their turn. Under these circumstances, and aside from any question of party politics, I hope that the hon. the Minister of Agriculture will not relax his efforts to secure for us, during the coming season, that class of agricultural labourers. If we are ever to build up our Dominion and make it a success, and to develop the great North-West, it is necessary that we should have a sufficient number of strong and willing hands for the purpose; and if we do not get a large influx of population to aid in building up our country and creating a consuming population for those great manufactures that the National Policy is going to establish, as we have been promised by the hon. the Finance Minister, our public burdens will become intolerable, and in a few years we shall find ourselves seriously encumbered with our liabilities; and I think the thanks of the House are due to the member for North Brant (Mr. Fleming) for his present motion, since he has given the hon. the Minister of Agriculture an opportunity

of squaring accounts with the *Globe* and furnishing the House with additional information, respecting an Order in Council that certainly should not have been issued without the gravest reasons for so doing.

MR. SPROULE; I think that it is of the utmost importance that the Minister in charge of this Department should ascertain carefully what class of emigrants is most suited to this country, and then direct expenditure in the line calculated to attract those best fitted to advance the interests of Canada. It was generally conceded, for several years past, that the Emigration Department was spending large amounts to attract emigrants, while we had large numbers of our own people out of employment; that people were being brought here not likely to find employment. The history of emigration in the past showed that something like twenty-seven dollars a head was paid for emigrants, a sum out of all proportion to the benefits derived from that class. Four years ago, emigrants could not find work in Canada; but, through the change since brought about, there has been employment for all the emigrants, and at much higher wages than were paid a year ago. Only last summer, I had applications from several farmers in my constituency to apply to the emigration agent in Toronto for extra hands, when I found it impossible to procure as many as were wanted. In his answer to me, the agent said that it was essentially necessary, before inviting those hands, to have situations awaiting them, and that they should get remunerative wages, if they remained through the summer—for good hands at least eighteen dollars a month. I wrote back that I understood, the summer before, emigrants were being sent out for twelve dollars a month. He replied that the increased demand for that class of labour had raised the wages much higher, and that now they had applications for a larger number of hands than could be supplied. I believe that the change is due to the policy of the hon. gentlemen who now wield the destinies of the country of discouraging the unsuitable class of emigrants. He intimated that it would be well, as there was a considerable number of idle people in the towns and cities, to communicate with them in order to send as many of

them as would be useful to the country. Unfortunately, a large number were unfit for farm work. I consider it the duty of the Government on finding a surplus of labour in the country, in any particular line, to try, if possible, to find work for them. I believe this is the object and tendency of the National Policy. It is generally found that, in small villages, towns and cities, manufacturers, artisans and labourers are out of employment, but not farm labourers, generally, in the country. If we cannot induce the idle in the towns and cities to settle upon farms, then it should be the object of the Government to build up establishments where they may find steady employment. I think, by all means, that the Order in Council passed by the Government ran in the very line the country would feel inclined to endorse, with the object of bringing into the country only such classes as it requires, and then, in time, as the National Policy builds up the industries of the country, and good times return, should there be an opening for all classes of emigrants, the order might be abolished. One of the strangest confirmations of the National Policy is the readiness with which emigrants now find employment in almost every part of the country, contrasted with their difficulty in 1878. Not only that, but thousands out of work two years ago are now employed at remunerative prices, and are able to support themselves and families.

MR. MACKENZIE: I desire to say a few words in connection with this matter before it closes. Hon. gentlemen opposite have not acted as the gentleman who spoke last believes. He seems to think that this Order in Council was passed a year ago; it was only passed a few weeks ago, and had no influence whatever on the emigration of the past season. Hon. gentlemen opposite affected to believe that their policy would procure an abundance of employment for all classes; but now it is admitted that in this city there is an amount of idleness never before witnessed. I know that in Toronto very large numbers are out of work—that the charity of the public was called upon frequently during the last few months to supplement the action of the charitable societies, in order to sustain those not able to find employment. There has been nothing like it that I remember in my time. But let us

look at the prospects the hon. the Minister of Railways held out to the suffering millions of Europe, in his speech in this House last Session. A year ago, in a debate in this House, speeches were made by the hon. gentlemen opposite, which must have led all the suffering poor, not only in Great Britain, but throughout Europe, to look to this country as a land of promise. The Minister of Railways used the following language, in discussing his resolutions regarding the Pacific Railway:—

“With these new and increased facilities, and with the cooperation of the Imperial Government, we may rapidly fill up the country with an industrious population, which will prove a source of wealth, and provide a substantial basis for the construction of the railway. I have adverted in these resolutions to the national character of the work, and the ground Canada has for asking further substantial aid from the Imperial Government in regard to it. I have pointed to the fact that it will open up the nearest means of access between Great Britain and her dependencies in the Pacific. It will bring the Imperial authorities 1,200 miles nearer to China and Japan than by any other route across this continent, and it will provide comfortable and happy homes for the suffering millions of the United Kingdom in our North-West Territories. Hon. gentlemen are aware of the fact that, on a comparatively recent occasion, a large deputation brought before the attention of Lord Derby the unprecedented extent of distress existing among the working classes, whereupon that eminent nobleman, who has devoted much attention to the improvement of the condition of the labouring people, stated that he looked forward to a well devised and systematic system of emigration from the British Isles is the only substantial means of affording relief to that over-peopled and suffering country. I believe, when we present this policy, and say that, while thousands of people in the United Kingdom are in a state of forced idleness, the construction of the Pacific Railway would afford them immediate employment, and, at the same time, develop on this continent a great British power, we will present a scheme which will not be regarded with disfavour. It has long been the pride of every British subject that, whenever a slave touches British soil, in any part of the world, his shackles fall away. So I say we in Canada have greater pride in knowing that the moment the feet of the most discontented British subjects touch Canadian soil, that discontent disappears, and no sooner do they realise the fact that they are in possession of the fullest freedom and the means of successful employment, than they become truly loyal to the British Crown.

“It cannot be an object of indifference to Great Britain that this country presents an opportunity, not only of thinning the over-populated districts of the British Islands, but of attracting Frenchmen from France, Germans from Ger-

many, and, in fact, people of all nationalities from the over-crowded population of Europe, to settle on British soil, and become loyal and devoted supporters of the British Crown and of British institutions.”

When those British subjects referred to landed on our shores lately, instead of meeting with the fullest freedom and the means of successful employment, they were met by the bailiff on the wharf, warning them off from our shores, and told that they must possess twenty dollars in cash to be permitted to put a foot on this land which was to furnish an asylum to the suffering millions of Great Britain and Ireland. After holding out these magnificent prospects, we have now the pitiable spectacle of the Government declaring that no person is fit to land who does not possess twenty dollars. The leader of the Government also indulged in the same style of speech. He said:

“But I believe that, when the scheme is presented to Her Majesty’s Government, and they have seen the Imperial importance of this work—when they see the enormous advantage it will be to relieve the over-crowded portions of the Mother Country, by removing the surplus population into the new Britain in the far West, they will grant a guarantee where they have granted it before, with this additional security which, without obliging England to pay a single sixpence, will enable us to push on the work and obtain all the money required for this great work on as advantageous terms as if it were a direct liability of her own.”

Now the suffering thousands and over-crowded population of Great Britain and Ireland are now, only one year after those glowing speeches were made, and those magnificent prospects held out, warned off, by authority, from touching our shores for fear that in any way their poverty might infringe upon our means. The late Administration advertised in the English papers, in 1874-5, that ordinary artisans and clerical classes were already too numerous in this country, and warned them from emigrating to it, while we held out that there was abundant room for the agricultural labourer and agriculturists of every class—they alone were to obtain assisted passages. The very publication of such an Order as that passed a few weeks ago has a tendency to prevent any class coming to Canada; it is eagerly grasped at by the agents of foreign and competing countries, to show that such is the disastrous condition of commercial, manufacturing and mercantile life in Canada



that its Government was obliged to put up a fence at its main seaports to prevent any people coming into the country, paralysed already by the natural disasters occasioned by the commercial policy of the Government.

Mr. WHITE (Cardwell): The question of emigration, as introduced by the hon. member for North Brant (Mr. Fleming), appears to have widened into a general discussion of the questions of National Policy and the Pacific Railway. If the argument upon which the original motion is based be the correct one—that there should be no objection to all classes of Her Majesty's subjects coming into this country at all times,—I cannot understand how it lies in the mouths of gentlemen who take that ground to declare that the people of Canada are so impoverished that, in our large cities and towns, the numbers who have nothing to eat and no work to perform are so great as to severely tax the resources of their more fortunate fellow-citizens. Either the people of those centres are well off or ill off. If they are well off, there might be serious objection to the Government's Order in Council; but in that case it does not become hon. gentlemen opposite to taunt us with the failure of that policy which is bringing in a better state of things. If we are ill-off—if there are paupers in our cities as, unfortunately, there always will be, whatever policy be adopted—then I think the people ought to thank the hon. the Minister of Agriculture and the Government for having adopted a plan for excluding persons during a season when they could not find work, unless they have means to enable them to proceed to where employment may be found for them. That, it seems to me, is the only question at issue in this motion. No one will pretend that it is desirable to bring agricultural labourers into Canada in mid-winter, or that our farmers could then employ fresh hands. The hon. the Minister of Agriculture in adopting this policy has simply declared that the farmers at this season do not need labourers, that our cities and towns are already sufficiently supplied with citizens, and that emigrants should not come here unless they have the means of proceeding to places where employment is available. The policy of the late Government was to advertise in the British papers, warning

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all but agricultural labourers from coming to Canada at all, while the present Order simply warns them against coming unless they had some small means in their pocket on landing to keep them while they looked for work, or to convey them to where it could be found. This Order expires in the spring, when the agricultural labourer can find work in this country, and therefore it in no way affects the question of the introduction of this class into Canada at suitable times. We have had not only now, but since the Session commenced, upon almost every question that has come up, statements by hon. gentlemen opposite of the utter failure of the National Policy. Do they seriously mean what they say? Did they really expect the mere passage of an Act of Parliament was going to restore prosperity and improve a sad state of things, brought about by their laxity and indifference to the commercial interests of the country? What was the leading issue between the two parties? It was the declaration of the hon. gentlemen opposite, when they occupied this side of the House, that they had no power and no will to improve the commercial and industrial interests of the country, while the position of the hon. gentlemen now on the Treasury Benches was that they believed that, in many respects, legislation might promote those important interests—that an honest and fair effort should be made with that object, and they pledged themselves that they would make that effort, and they fulfilled that pledge during the last Session of Parliament. What has been the result? Commerce is not built up in an hour. The astonishment is that anyone invested a dollar on the strength of the National Policy, in view of the efforts of hon. gentlemen opposite to prevent its being done. No sooner had the Policy been adopted than a gentleman, described in an English newspaper as a prominent member of the Opposition—who I think I am not wrong in describing as the leader of the Opposition—wrote to an English journal to warn people against investing money in this country on the strength of the National Policy, because, as he alleged, it would be impossible for that policy to be in existence for any length of time. The writer of that letter referred to the election which took place in June last for the

Ontario Legislature, and he specially referred to that in the city of Toronto, to prove that the feeling of reaction against the National Policy was not confined to the rural population, but was participated in by the urban population as well.

MR. MACKENZIE: Hear, hear. So it is.

MR. WHITE (Cardwell): The hon. gentleman says "Hear, hear." I wonder he is not ashamed to repeat the statement in the presence of gentlemen who know differently. Both the nominator of Mr. Mowat and his seconder at the Local election in Toronto declared that, if the National Policy was in issue, if it was a question of Dominion politics and not of Local politics, they would be supporting Mr. Morris with as much energy as they were then devoting to the support of Mr. Mowat. In the face of that statement, the hon. gentleman, and I presume it was he who wrote to the *Manchester Examiner*, declared that the urban, as well as the rural population, were participants in the reaction of feeling against the National Policy that he declared had taken place.

MR. MACKENZIE: So say we all.

MR. WHITE: The hon. gentleman acknowledges he wrote the letter.

MR. MACKENZIE: I acknowledge nothing.

MR. WHITE: It was not at least a patriotic thing for a Canadian, in regard to a policy the success of which largely depends on the confidence of the people as to its permanence, it is not patriotic for a public man to endeavour to undermine the success of that policy, by creating a want of confidence in its permanence, through letters addressed to English newspapers, warning capitalists against investing money in, or coming to the country, as they might be induced to do in consequence of that policy. But, Sir, have we not benefitted since that time? There is hardly a merchant to-day, there is not a commercial traveller who has returned to his house within the last few months, who does not speak of the increased confidence which prevails in Canada to-day, as compared with the feeling which has existed for the last five or six years. I do not refer to manufacturers, who might be supposed to be specially benefitted by the operation of the present Tariff. I refer

to the importers of the city of Montreal, to the ordinary merchants. There is not one of them who will not admit that a greater confidence has prevailed in the country during the last six months than has existed during five or six years previously. That is the position in which the commerce of this country is to-day.

MR. ANGLIN: Montreal is not Canada.

MR. WHITE: The hon. gentleman probably refers to St. John. What is the fact with regard to St. John? After the terrible fire which destroyed that city, a few years ago, an abnormal condition of things sprang up. In the rebuilding of that large city, a number of men were employed, and, when their labour was accomplished, there was no more work for all those who had emigrated there. Apart from this, the position of St. John has become materially changed. It is suffering to-day from changes from which many cities have suffered. Everywhere are to be found cities which were formerly prominent as commercial centres, to-day occupying a minor position, the business having been transferred, through the construction of railways, or other changes, to other centres. Many of my Toronto friends are inclined to believe, though I do not share in the opinion, that Montreal has seen its best days; that, owing to the construction of railways, and general changes in the commerce of the country, business is becoming centred in Toronto instead of Montreal. Quebec, some few years ago, was the great commercial metropolis of Canada; what is it to-day? Its decadence is not due to any question of policy, but to the changed relations in commerce. St. John is suffering in the same way as Quebec, and as some of my hon. friends, though I do not share in their opinion, say Montreal is suffering also. The hon. member for Lambton has quoted two passages from the speeches delivered from the Treasury Benches of last Session in relation to the Pacific Railway, to the effect that our great North-West, traversed as it will be in the future by railways, will offer a home for countless millions from the Mother Country. Is that hon. gentleman, who is equally responsible with gentlemen on this side for imposing on this country the burdens entailed by the assumption of the North-West, prepared to say such will not be

the result? Does he mean to say that that country, when opened up by the Pacific Railway, will not offer homes to countless millions of our fellow-subjects in other parts of the world? If that was his pretension, how could he justify the imposition of the burden for the maintenance of that large territory, and the construction of the Pacific Railway, for which latter, as far as expenditure has already taken place, he is certainly as responsible as hon. gentlemen on this side of the House. The statements made in those speeches are every one true; and it requires a confidence in the gullibility of human nature and of the public at large simply astonishing to induce the hon. gentleman to tell us that, because within one year after these statements were made, the results predicted had not been accomplished, they were therefore unfounded. This is the kind of argument with which the House is insulted by the leader of the Opposition. Every statement quoted by the hon. member for Lambton from these speeches will be realised. But, unfortunately, hon. gentlemen opposite will not say a kind word for their country unless bribed by office. From one end to the other, to believe them, this country is in a state of hopeless depression, bankruptcy, and commercial ruin, with no confidence in the present, with no hope for the future. It is thus that those gentlemen appeal to the patriotic feeling of the country to sustain them. They appealed before and they got their answer. They have been pursuing the same policy since the Session opened. They are determined not to see the silver lining in the cloud which has for so long overhung our commerce and industries, but prefer to present this country as one in a hopeless condition. It is their gloomy forebodings which has decided the people that they shall not come back to power, and has caused every constituency which has been opened since 1878, and which then supported the Conservatives, to renew that support.

MR. PATERSON (South Brant): I intend only to offer a few remarks on this subject. I do not intend going into the question properly before the House. The hon. gentleman who has just resumed his seat, has invited us to look at the beneficial results that have followed from the policy inaugurated by the hon. gentlemen

opposite, and there is no doubt that, if what the hon. gentleman has said, in reference to the city of which he is a citizen, with reference to its prosperity, with reference to the extraordinary manner in which that city is amassing wealth under the beneficial influence of this Policy, be correct, we, as patriotic Canadians, should rejoice; but one city does not constitute the Dominion. The hon. gentleman, however, is candid enough to admit that there are other cities in this Dominion, and that they have not been benefitted in a like manner. The hon. gentleman was almost candid enough to admit that there were other cities that could not be benefitted as much by this Policy as the city of Montreal. The hon. gentleman points to the distress of St. John, and states that it was not because the National Policy had operated disastrously. He states that it was because of the immense destruction of property during the fire that took place there. Can that be true, Sir? Can the hon. gentleman from Cardwell, as a citizen of Montreal, whose interests lie there, who wields the influence of a mighty paper there and gloats over his gains and the gains of his fellow-citizens admit that they never ventured to pay their contribution towards that distress, which was almost a famine? Would not that be the proper thing to do? It seems to me that, if the hon. gentleman cannot induce the citizens of that city to furnish relief to St. John, he could, at any rate, forward his individual subscription in order to alleviate their wants. I do not intend to enter into the question generally, because I anticipate that, when the hon. the Minister of Finance introduces his proposed amendments to the Tariff foreshadowed in the Speech from the Throne, we may have a discussion at that time, but I cannot hide from myself the fact that while there is a good deal of misery in the country, and while there will be a great deal of misery on the part of some of the members opposite, when their speeches are criticised by their constituents, we may anticipate some little pleasure in seeing how our worthy friend from Cardwell, who has alluded to this National Policy, and declared it is the thing the country demanded, will receive the amendments that are proposed to this Tariff, which he says, has worked so admirably. Until

then I will say no more on this subject.

Mr. PLUMB: My hon. friend the Minister of Agriculture is, undoubtedly, under great obligation to the mover of the resolution now under discussion, and my hon. friend is also largely the debtor of my hon. friend the member for North Oxford (Mr. Oliver) for the resolution he introduced into the House a few days ago—but upon which no debate took place—in regard to the expenses which were incurred for the tenant farmers' deputation, who were invited into this country to examine into its capabilities. I was very much surprised at the position taken by my hon. friend from North Wentworth (Mr. Bain), upon the motion of the hon. member for North Brant. He seemed desirous to impress upon us the great liberality of the State of New York in making a yearly grant of \$150,000 for the benefit of emigrants landing upon its shore. My hon. friend neglected to say that the State of New York has a population of about 4,750,000, a larger population than the Dominion of Canada. He neglected to say that the city of New York was the great port at which nearly all the emigrants who came into the United States landed. He might have stated that Castle Garden in that city is the property of the State, and is kept up at a large expense for the purpose of receiving emigrants and providing them with quarters while they remain in the city and having neglected to say that: he gave the House, undoubtedly unintentionally on his part, a false impression in respect to the liberality and the purposes of that grant. He also neglected to state that a *per capita* tax, as a further means of defraying those expenses, was levied upon the emigrant when he landed there, which everybody knows who knows anything about the question at all. My hon. friend was also pleased to speak of the National Policy in connection with the subject which has been under discussion to-day. These gentlemen would seem to have imagined that we promised that the National Policy would have its fruition upon the next morning after the election, that took place in 1878, and which the hon. gentlemen on the other side of the House have good reason to remember. I took some little part in the discussions which were held in public meetings in respect to the National Policy, during the campaign

in Ontario and Quebec. At any rate, whatever I myself may have said on the subject, I had the honour of hearing a great number of speeches that were made by the leaders of the party to which I belong, in respect to that policy, and what they claimed for it. It was stated by us that—whereas gentlemen on the opposite side of the House had said that they were only “flies upon the wheel”; that they were entirely incompetent to do anything by legislation for the advantage of the country; that no Government could, by any possibility, relieve or palliate the prevailing distress, or ought to attempt to sustain or encourage the struggling industries of the country—we at least would try to do something in that direction. We never undertook to promise that there would be an immediate increase in the prosperity of the country; but we pledged ourselves to do something, in case we secured a majority here, which would make the despondent people hopeful, and to hold out to those who had been struggling for years a helping hand. We were scouted by the leading organ of Ontario, because, in the very week after this Government came into power, it did not increase the Tariff. We were told that there was no excuse for delay, that it was so simple a matter that one of the Government clerks could easily make up the schedule and fix the rates; that it did not need careful examination and great discussion or consideration. It would certainly not have required any great discussion or consideration on our part, if this Government had been content to make out a horizontal scale, adding 2½ per cent. on everything included in the fifteen per cent. list, in imitation of the late Minister of Finance. But we had a very great and difficult duty to perform, and that duty has been performed thoroughly and successfully, and I cannot believe that gentlemen on the opposite side of the House are sincere when they taunt us with want of success in a policy, the development and effect of which cannot be seen in a month, or six months, or a year. These gentlemen had left the country in a slough of despond, from which it would take years to escape. We endeavoured to rescue a struggling people from the abyss into which the preceding Government had plunged us, and from the fatal results of the growing

deficits which no attempts had been made on the other side to make good. We have never heard what these gentleman proposed to do to meet the growing and extravagant expenditures in every Department, and the draft upon the Treasury for great undertakings in railway building. They did nothing to cut down the expenditure of the country, and nothing to increase its revenues. Upon every question that has come up we have been treated to a rehash of the stale arguments of last year against the National Policy. I had been in hopes that I would hear something new when I heard that the leader of the Opposition had been indulging in light literature. When the hon. member for Lambton condescended to allude to light literature, and my hon. friend from Bothwell (Mr. Mills) began to quote from *Martin Chuzzlewit*, I hoped the hon. gentlemen had been passing the Recess in the kind of study which would enable them to bring forward something new and original, amusing or instructive. But they tell us the same old story, which is neither new nor amusing nor instructive. They have harped on a single string till tired of the monotonous performance. They are like Sterne's caged starling, which could only repeat, "I can't get out."

SIR JOHN A. MACDONALD: "Can't get in."

MR. PLUMB: Amendment accepted. I am very glad that the late First Minister thought fit to take part in the discussion, because it reminded me of a little incident that took place in the debate of last year upon the railway policy and the sale of land in the North-West, upon which I thought, at the time, I should have an opportunity of saying something more upon a suitable occasion. That hon. gentleman, notwithstanding the fact that he had, by a measure hurried through at 3 o'clock in the morning, in the first Session in which I had the honour of sitting in this House, proposed to make public lands to a large extent subsidiary to the construction of the Pacific Railway, whilst speaking last year said:

"Does the hon. gentleman imagine that settlers will go to the North-West to take up land at \$2 an acre when there are millions of acres to be had for nothing in the United States?"

I ventured to ask where they gave

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land in the United States for nothing. He promptly replied that there could be no question about it. I ventured to say that there was room for question. The hon. gentleman then retorted thus:—

"My hon. friend may be very wise, but if he will examine the conditions upon which land is settled upon in Texas, he will find that that State will furnish any quantity of land free."

MR. MACKENZIE: Will the hon. gentleman read on? I ask him in fairness to read on.

MR. PLUMB: The hon. gentleman has the right of reply if he likes.

MR. MACKENZIE: Then I say that I never made such a statement.

MR. PLUMB: The hon. gentleman has a bad habit of constantly interpolating a speech, whenever I have the floor, and he thinks proper to contradict my statements. With his old majority to back him, he could do so without check, but I do not intend to allow him to do so on this occasion, unless the House insists that I must give way. Well, then, not quite convinced by the ready assertion of the hon. member for Lambton, I was led to make further enquiry as to lands which settlers could obtain by free grant in the State of Texas. I entered into correspondence with my friend, Mr. Seward, then Assistant Secretary of State in Washington, and received from him the circular of the General Land Office, containing the laws and regulations relative to the grant or sale of public lands to settlers, and the list of States and Territories in which such lands were situated. The State of Texas was not upon the list. Upon further enquiry, I learned that there were no lands in Texas belonging to the United States Government. I wrote then to the Commissioner of the Land Office of Texas, at Austin, the capital of the State, and I have his reply in my hand, which, with the permission of the House, I will read, in order to show how easy it is to make off-hand statements, and for gentlemen, in making such statements, to be mistaken, notwithstanding that they arrogate to themselves an amount of wisdom and information which they imagine warrants them in lecturing members who venture to question their absolute infallibility. The letter, in answer to my enquiries, is dated the 14th of February, 1880, and reads as follows:—

" 1. There are about ten million acres of vacant unappropriated public domain, subject to location by valid certificates issued by the State of Texas, and to pre-emption.

" 2. Actual settlers upon vacant domain can acquire title to 160 acres, if the settler is the head of a family, and to 80 acres if a single person, by a residence upon and cultivation of the land for three consecutive years.

" 3. There is very little vacant land lying upon lines of railways, or upon projected lines. Nearly all the land in the State that is subject to location or pre-emption is far out upon the frontier of the State."

" 4. There are about ten or fifteen millions of acres, which lie in the organised parts of the State, for sale, at prices ranging from one dollar to three dollars per acre—one dollar being the minimum price fixed by law. Some of these lands are valuable, and may be purchased in quantities of 160 acres up to 1,920 acres, upon ten years credit, by yearly instalments, with ten per cent interest."

Mr. Walsh also sends me a copy of a printed letter, which he addressed to the Hon. O. M. Roberts, the Governor of the State, on the 16th of September last, in which he makes a succinct statement of the classes of lands subject to sale, the price fixed by law, the quantity which can be bought by one person, the region of country in which each class can be found, and to whom a purchaser must apply. He says :

" There are 12,800,000 acres of school lands, minimum price, a dollar an acre—(prices range from one to three dollars); 219,906 acres, minimum price a dollar and fifty cents an acre ; 407,615 acres, minimum same as above. 3,050,000 will be offered in January of this year. They are for sale an acre in such quantities as may be desired. All vacant lands in the territory bounded north by the Indian Territory, on the east by the hundredth degree of longitude, on the south by the thirty-second degree of latitude, on the west by the hundred and third degree of longitude, are for sale, in 640 acre tracts, or less, at fifty cents an acre. The purchaser must apply to the Surveyor of the county or district in which the land is situated. He will survey the land, return field notes to the General Land Office, at the expense of the purchaser. Within sixty days from the filing of the field notes to the General Land Office, the purchaser must pay into the State Treasurer fifty cents per acre, or forfeit all right to the land."

It will be seen that the low-priced lands are in the unorganised districts of a vast and unprotected country, and that the regulation in respect to surveys and field notes, practically renders them unavailable for emigrants. The counties in which they are situated are not named on the latest map of Texas, which I have

been able to find, but form a part of the extensive plains lying far west of the settled portions of the State, and not upon lines of railway or projected railway communication. It is difficult to see how they are preferable, either in cost or availability, to ours in the North-West. There, on the map, is marked Young Territory, and I note that it contains "extensive table lands, elevated some 2,400 feet above the sea, destitute of both wood and water," and "sand country, with coarse grass, but no water." If this land is not free for settlers, who have courage enough to take it, it is not probable that the State has any better tracts to grant without purchase. I notice that in the general regulations, both of the United States and Texas, there are large fees to be paid before settlers can enter upon the land, and most of the regulations require that the intending settler shall become a citizen of the United States. If there were any lands of the United States open for cheaper settlement on or near railway lines, the railway companies could not get the high prices for which they are selling their lands. All the most available lands of the United States Government have been either granted to railways, or are held by the Government in alternate sections with the railways, and the Government are bound not to sell below a certain minimum price. I have shown that there are no free lands in Texas, except in the unorganised districts, where the amiable Comanche still wields his scalping knife, and where the settler must take with him, in the shape of a revolver, the only law that is recognised. The hon. member for South Brant (Mr. Paterson) has seized the occasion also as one on which to give us his generous views on the National Policy, views with which all those who have listened to his oratory here, or at the hustings, during the past three or four years, are extremely familiar. But he, perhaps, has forgotten, indeed he always forgets, but we remember, that, not many years ago, he stood up here and begged, in plaintive tones, that efficient protective measures should be brought forward by the then Finance Minister, who, if I am not mistaken, at present sits before me; and; although he has complied on the first opportunity with the hon. gentleman's request, is the object

of his especial denunciation. Perhaps it would not be using unparliamentary language if one were to characterise the speech of our consistent and critical friend as "full of sound and fury, signifying nothing." However, to return to the resolution, it may truly be said that our congratulations are due to my good friend the hon. the Minister of Agriculture, for the manner in which he met the attack intended to be made upon him by this resolution. It must commend itself to the mind of everyone in this House, and convince him that he is, and has been, the right man in the right place in directing a Department, which had been so badly managed during the time that he was not in office. It is not long—only about three or four years—since both the Premier of Ontario and Mr. Jenkins issued circulars and warnings to emigrants coming to our shores. They were not at that time condemned by the great organ which, it may be admitted, does not, as my hon. friend from North Wentworth very frankly acknowledges, represent public opinion in Ontario, because everything has gone entirely contrary to the desires and views of that great newspaper. It has converted Ontario from its own faith to ours. Anyone taking up the arguments of the *Globe*, for the last five years, cannot fail to see that the policy which it has advocated so persistently has been directly opposite to that adopted, not only by the Liberal Conservatives, but by thousands of its former friends; and that, through its utter inability to meet the wants of the hour, and through that of its principal followers, it cannot be denied a great party has been hopelessly wrecked, and that those who have wrecked it have determined to learn nothing by their misfortune. I hope and I know that the National Policy will vindicate itself, and that, under the able management of the hon. the Minister of Agriculture, we shall see a great and rising tide of emigration sweeping into Canada. The most thoughtful minds in England to-day are carefully and anxiously considering what is to be the future of the condition of the population of the United Kingdom, which, last year, produced only one-half the food necessary to support its people. In a country which has a constantly growing manufacturing population, and a constantly decreasing agricultural population, emigra-

tion is not a question for the Colonies alone to deal with, but it will be forced upon the Mother Country to consider most seriously how best to provide homes for its people, homes for them in its grand and fertile Colonies, rather than allow them to go into foreign lands, and form connections antagonistic to the Mother Country. I have in my possession elaborate statistics, showing the annual production and importation for Great Britain of food and its cost, and proving that at present the exports of the Kingdom fall far short of the amount necessary to pay for the produce which it imports, notwithstanding the contention of hon. gentlemen opposite that the imports must necessarily be paid for by the exports, year by year, and that our arguments drawn from the balance of trade are fallacious. I have statistics to show that the balance of trade has been against England for several years past, and, notwithstanding the contention of gentlemen opposite, that the balance of trade is not the balance of trade, the people of England have been drawing largely upon the hoarded savings of more prosperous times. There has been some allusion, in this discussion, to the starving population here at Ottawa, and the poor men who were assembling the other day at the entrance of this building, but does not the hon. gentleman who referred to it (Mr. Mackenzie) remember that, when he was at the head of the Government, there were ten times as many gathered here in the purlieus of the capital as were here yesterday or the day before, and that they forced their way into the building itself, and compelled him, in rather an undignified manner, to retreat by a basement exit in order to avoid them. We have all the sincerest sympathy for these poor men; we have endeavoured to afford them help, and, I have no doubt, we shall. Their numbers continue rapidly to decrease under better times, which will give them employment, as we have seen them already decrease during the past year. I am told by my hon. friend the member for Carleton (Mr. Rochester) that last year three soup kitchens were required here to relieve those who were suffering for food, whilst now none are found necessary. That is a striking fact, in contradiction of the argument of the hon. member for Lambton. A few men came here quietly the other day—I

do not know under what circumstances—and they dispersed as quietly. I did not see amongst them any haggard faces or any traces of want or suffering. If it was intended to get up a demonstration for the purpose of portraying the distress in Ottawa, and, by implication, to attack the Government and its policy—which I do not assert—the effort was a failure. I hope upon another opportunity to be permitted to produce some of the exhaustive statistical tables to which I have referred. I will only now say that I am very well pleased that this discussion has taken so wide a range, and that we have discovered by it that our friends on the other side, while they have not learned anything in the interim between last Session and this, have certainly not forgotten anything.

MR. MACKENZIE: I do not rise for the purpose of making an explanation. The hon. gentleman who has just sat down refused me that privilege at the time when he was speaking. The hon. gentleman proceeded to speak of my remarks in regard to the State of Texas, first quoting some words of my speech, and then asserting that I then proceeded to praise Texas as a country for emigrants; and I called upon him to read any passage in any speech of mine which would warrant his statement, and he declined to do so. I here state that it is utterly untrue. I also notice that the Government organ, in this city, asserted, a few days ago, that I had passed glowing eulogiums on the State of Texas as a field for emigration, and I call upon that journal either to produce that eulogium or to make a suitable apology.

MR. GAULT: During the present winter some ten emigrants arrived at Halifax without means. They were forwarded from thence by the Government to Montreal, where they remained some three or four days. In the course of that time, there was found employment for every one of them. They were artisans from the manufacturing districts of England, who had worked in the mills of Lancashire and Yorkshire. They were men of great respectability and intelligence, who had characters from the Mayor of the place they left. One of these men stated to me that he bitterly felt how deeply he had been deceived in being sent to Canada, but, after a short

time, he said he had written to friends, to inform them that it was a happy day for him when he left England. I have kept track of him since, and I am glad to say that he is doing well. I am satisfied that it was chiefly on account of the National Policy that we were enabled to find employment for those men.

MR. ANGLIN: In reference to the statement made by the hon. member for Lambton (Mr. Mackenzie), in regard to the State of Texas, I think it my duty, as I remember distinctly what took place on that occasion, to say there is no justification whatever, no foundation whatever, for the allegations made to-day by the hon. member for Niagara (Mr. Plumb), and made so repeatedly throughout the Dominion, by gentlemen who addressed public meetings in the interests of the party on the other side of the House, and in the organs of that party. The hon. member for Lambton, (Mr. Mackenzie), I remember, took exception to the manner in which the present Administration were managing the lands in the North-West, and one of the reasons why he regarded that management as injudicious and likely to be injurious to the country was that persons could not be induced to go into or to remain in the country north of the boundary line, where they were required to pay prices for lands and submit to regulations which they had not to pay nor submit to in other parts of the continent. That statement was challenged, and he asked where lands could be had upon more reasonable terms than in the Canadian North-West. He merely said in the State of Texas. Not another word did he say with regard to the State of Texas. The hon. member for Niagara (Mr. Plumb) has taken pains to show that there is very little land to be obtained on Free Grants in the State of Texas. That does not affect the question. The charge made against the hon. member for Lambton (Mr. Mackenzie), and I have seen it published fifty times, if I have seen it once, was that he had eulogised the State of Texas and pointed to it as a place to which emigrants should go rather than go to the North-West. I do think that it is not only a mistake on the part of the hon. gentlemen on the other side of the House, and their organs, to make and repeat so entirely unfounded a charge as that made against the



hon. member for Lambton (Mr. Mackenzie), but that it must, by-and-bye, prove injurious to their party. I believe there is a spirit of fair play in the country which will not allow ideas to be attributed to any public man which he never entertained, or words which he never uttered. With regard to the question before the House, I may, perhaps, briefly say that I think the Order in Council was, for many reasons, exceedingly injudicious. I think it was the first time the Government of Canada proclaimed to the world at large that they did not want emigrants who, over and above the cost of their passage, did not possess the sum of \$20 each. My impression is that, if this House were canvassed to-day, and we were to state honestly what we ourselves, our fathers, or our grandfathers had in their pockets when they landed in Canada, I doubt whether we would find many hon. members who could say that they or their ancestors had for each member of their family the sum of \$20. Some of the best and most valued inhabitants of this country were—aye—and are men who landed here with less in their pockets than \$20. The number excluded by that Order, so far, has not been very large. I think that there were only two or three steamers that had half a dozen emigrants each who were not permitted to land at Halifax. We should not encourage the emigration of paupers, but only of those who are likely to render some service in developing the resources of this country. Everything should be done on the other side of the Atlantic to deter those from coming to this country for whom we cannot find employment. But things have come to a dreadful pass, indeed, when any subject of Her Majesty, coming from any part of the Empire, is to be prevented from entering into this Dominion, when the doors of this country are to be shut in his face, if he cannot prove that he is in possession of a few dollars. It does look hard, and, if it becomes known in Europe that such an Order has been issued, it will inflict a serious injury on this country. It will be difficult to satisfy "the suffering millions," or the more comfortable thousands, in the old world, who learn that such a ukase has been issued, that Canada is a desirable place to emigrate to, that Canada offers abundant employment to all who are willing to work. I do not care

to follow the hon. member for Cardwell (Mr. White) in the extraordinary assertions which he made; no doubt he believes in their accuracy. But this very proclamation itself, and the speech of the hon. the Minister of Agriculture are the strongest evidence possible that, to-day, there is a large number of people unemployed in the cities and towns of the Dominion, and that we are not in want, to-day, of any more agricultural labourers. The hon. gentleman says trade has greatly improved in Montreal. I have been in the habit of watching the Customs returns closely, and my impression is that, on a fair calculation, it will be found that the value of the goods imported into Montreal, during the year ending 31st December last, was very much smaller than the value of goods imported during the year ending 31st December, 1877.

MR. WHITE (Cardwell): Surely the hon. gentleman does not estimate the prosperity of the merchants by the extent of their imports?

MR. ANGLIN: I do, to a very great extent; our whole trade is a trade in imports, exports and domestic manufactures. If the hon. member could show that we have produced in this country a larger quantity of manufactures, and that those we have produced at home are taking the place of those that formerly were imported, and that the reduction of imports is only a consequence of that charge, then he might establish his case. I will, however, venture to assert that the number of men employed in manufactures, during the year 1879, was smaller—that the number of days' work done by those employed was smaller than the number of days' work done in 1877, and that, consequently, the production of manufactures must have been much less in 1879 than in the previous year. I speak now from the result of careful observations that I have made, and particularly made in the city from which I come, and from such accounts as I have read in the newspapers of the different cities and towns of this Dominion. I allege, further, that the wages paid to mechanics and to persons employed in manufactures throughout Canada, during the year 1877, was from ten to twenty-five per cent. less than the wages paid to the same classes of people during 1879. And, speaking of my own city of St.

John, I say that the wages paid the year before the great fire amounted to twice as much as the wages paid in 1879. The hon. gentleman says that the decline in the trade of St. John is entirely due to the disastrous effects of the fire.

MR. WHITE (Cardwell): The hon. gentleman has misconstrued what I said. It was this: that the present depression is due, to a large extent, to the fact that large numbers of mechanics engaged in rebuilding the city are now out of employment and cannot leave it.

MR. ANGLIN: That is another part of the case stated by the hon. member, and I shall come to that. I understood the hon. gentleman to say that it was to the effects of the fire he attributed the depression. But he spoke also as if the decline in our population was merely owing to the outgo of the mechanics and labourers who came to the city to help to build it up again. I admit that thousands came for that purpose, and, when the work was done, went away again, but, over and above those, thousands of other people, who were residents of St. John for years and years, have gone away and permanently abandoned this country, because they could no longer obtain a living in it. In some cases, they could not earn food to put into the mouths of their children, and they left their children dependent upon the charity of their neighbours, and went to seek employment in another land, and then, when they had scraped together a few dollars in the United States, they sent for their families. Several thousands must have left St. John in that way, and the population of that city is to-day less by many thousands than it was at the time of the fire. The want of employment arises from the general impoverishment of the country, and from the increasing depression in the trade of the country. We may be told that the National Policy has nothing to do with this, that it did not bring down the price of deals, nor prevent our population from successfully carrying on shipbuilding. But, before the National Policy passed, the people were told a different story. Wherever business was unremunerative, the National Policy was to make it profitable; wherever men were in want of work, it was to provide abundant

employment at good wages. Then we were told that the sun of prosperity was to burst forth the very morning after the triumph of this Policy at the polls. But a different tale is told now. Now, they deny, on the other side, that they ever made such a promise. They made such promises, and did persuade all whom they were able to dupe—and I am sorry to say that the number of such was much too large, that it was so large as to convert their minorities in many constituencies into majorities—that the National Policy would bring prosperity to all classes of the people, and to every branch of business. We are now told that we must wait. Wait how long? Last Session we were told that the National Policy was not in operation yet, but that, as soon as it came into force, business would be restored, money would be invested, industries would revive, manufactories would commence at once to go up, and that the “hum” would be heard all over the land. But the “hum” was not heard all over the land when the change of Government took place, and then we were told by the hon. the Finance Minister that we must give him time to frame his policy. He had to hunt for information from one end of the Dominion to the other, not such information as a man of great intelligence and extensive knowledge might be supposed to require, in regard to a delicate subject, but the merest elementary information. And so he went to the shoemaker, to see what he wanted, then to the tailor, to see what he wanted, and then to the manufacturer and the farmer, and thus the process of readjustment went on for month after month, until, finally, the Policy was launched. Then we were told we would soon hear the “hum;” but, though a year has passed, we have heard nothing of it yet. Since that, we have been told that it was unreasonable to suppose that prosperity could be created in a day, and latterly, by way of change, it has been frequently declared that the delay is all the fault of the late Government, who had plunged the country into a slough of despond, from which, even all the talents and abilities and patriotism of the great Tory party could not raise it up in a day, in a week, in a month, or in a year.

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

## After Recess.

## PRIVATE BILLS.

## SECOND READINGS.

The following Bills were severally read the second time :—

Bill (No. 16) To authorise and provide for the winding up of the Stadacona Bank—*(Mr. Vallee.)*

Bill (No. 17) To incorporate the Bell Telephone Company of Canada.—*(Mr. Kibvert.)*

Bill (No. 21) To empower the Stadacona Fire and Life Insurance Company to relinquish their charter and to provide for the winding up of their affairs.—*(Mr. Casgrain.)*

Bill (No. 22) Further to amend the Act therein cited, incorporating the Canada Guarantee Company.—*(Mr. Girouard, Jacques Cartier.)*

Bill (No. 23) To incorporate the French Atlantic Cable Company—*(Mr. Cameron, North Victoria.)*

Bill (No. 24) To incorporate the Dominion Commercial Travellers' Association.—*(Mr. Gault.)*

Bill (No. 25) To authorise the establishment of Superannuation, Provident and Insurance Funds by the Great Western Railway Company.—*(Mr. Robertson, Hamilton.)*

Bill (No. 26) To incorporate the Emerson and Turtle Mountain Railway Company.—*(Mr. Royal.)*

Bill (No. 27) To incorporate the Baptist Union of Canada.—*(Mr. Mackenzie.)*

## INSOLVENCY ACTS REPEAL BILL.—

[BILL 2.]

*(Mr. Colby.)*

## FURTHER CONSIDERED IN COMMITTEE.

House again resolved itself into Committee to consider the said Bill.

(In the Committee.)

MR. COLBY: The Committee has now under consideration the amendment proposed by myself, last evening, which provides that all proceedings under the Insolvent Act of 1875 and the amending Acts, in any case where the estate of an insolvent has been vested in an official assignee before the present Act, may be continued, changing the phraseology so as to leave no doubt as to whether the assignee intended is the official assignee or the creditors' assignee. It provides that, where the estate has reached that stage, and is vested in the official assignee, it shall be carried on under the provisions of the Act, which are in all other respects prevailing.

MR. HOLTON: Leaving, of course, the same freedom to creditors to appoint an assignee that they enjoy now.

MR. COLBY.

MR. COLBY: Precisely; the Act is intended to be undisturbed in its operation for that class of cases which have reached the official assignee.

MR. McDONALD (Pictou): It reserves any powers of the Act for all cases where the inception of the proceedings in Insolvency takes place before the Act becomes law.

MR. ANGERS: I do not believe that the amendment proposed is sufficiently explicit to cover all cases. It might lead to misunderstanding, because proceedings under the Act may be commenced, although the assignee is not appointed. As it reads, the law would remain in force only in cases where the official assignee would have been appointed.

MR. HOLTON: Where the assignment has been made.

MR. ANGERS: But suppose the case of an insolvent refusing to make an assignment, you have to issue the writ, and, after the writ is issued, the insolvent has so many days to present a petition to have that writ quashed. If the law should come into force between the date of the issuing of the writ and the delay to present the petition, I think the amendment would not cover that case. There fore, I would suggest that the hon. member for Stanstead (Mr. Colby) should adopt an amendment to meet such a case as I have mentioned.

MR. COLBY: If this Bill passes at all, it will be because this Parliament deems it undesirable that the Insolvent Law should continue longer upon the Statute-book; that it is an evil, and, consequently, we should make the Bill cover all the cases that can be properly brought under it. Now, after an estate has reached an official assignee, there are great difficulties in getting it out of his hands. I do not know that Parliament has power enough to wrest it from his hands. If we should attempt to do that, if all that has been said of an official assignee be true, it is doubtful if even an Act of Parliament could wrest the estate from him, once he has got hold of it. But, at any stage prior to its being in his possession, I think the proceedings may properly be interrupted, and ought to be, if the principle of this Bill is correct. I think it logically follows that we should stop the procedure, under this Act, at as

early a stage as we can do it, without serious inconvenience. Another reason, which should incline us not to stretch this point too far, is this: many have grave apprehensions, which seem to be warranted by intelligence which has come to us through the newspapers, that there is likely to be an extraordinary rush into insolvency of persons desirous of placing themselves under the operation of the law. If it is desirable to repeal the Act, we should not encourage that condition of things, and make the evil greater than it is likely to be. I have consulted the hon. the Minister of Justice, and other leading members of the House, and the feeling is, that all estates actually vested in an official assignee should be wound up according to the provisions of the law as it now is, but that the Act should be totally repealed as regards those estates which have not become vested in an official assignee, and that will be the effect of the amendment which I have proposed.

MR. CAMERON (North Victoria): I do not know whether the hon. member for Stanstead (Mr. Colby) proposes to accept the amendment offered by the hon. member for Montmorency (Mr. Angers).

MR. COLBY: No, I was explaining my own amendment.

MR. CAMERON: I understand neither the force nor the object of the hon. member's amendment. It appears to me that the amendment of the hon. member for Stanstead covers every imaginable and possible case that could arise. As I understand the amendment of the hon. member for Stanstead, it is this: that the repeal shall not apply to any case in which the estate has passed into the hands of the official assignee, whether by virtue of a writ of attachment, or by virtue of a demand of assignment; and an assignment made in pursuance of that demand, or by reason of the issue of an attachment, because the debtor has not assigned in pursuance of such demand. Now, it is manifest under the Statute that the very moment the assignment is made, or the process comes into the hands of the official assignee, that moment the estate becomes vested by him. Such is the law, and, if it is vested in the assignee in either of these cases, then it is of no kind of consequence whether or not an application is made within the five days allowed by law, to

evade any such proceedings. If such an application is made, and it is successful, of course the estate will revert to the debtor, and will in no way be subject to the provisions of the Act. The amendment of the hon. member, therefore, covers every possible case, and I would recommend the hon. member for Montmorency to withdraw his amendment, as it is wholly useless. The Bill, as it stands, makes ample provision for the difficulties he suggests.

MR. BURPEE (St. John): I would like to call the attention of the House to the position of New Brunswick with regard to this Bill. They have an Attachment and Garnishee Act there now, which, if this law comes into force before the Local Legislature has had time to legislate, will place the business part of the community there in a very awkward position. I would suggest, therefore, that the hon. mover should fix a delay of, say, several weeks, before this comes into force, to give the Local Legislature time to legislate in this matter.

MR. COLBY: Since the Local Legislature of New Brunswick is to meet to-morrow, there will be, undoubtedly, ample time for them to dispose of any objectionable law that may be upon their Statute-book, and that might be revived. Of course, I think it is in the interest of the country that this Bill should go through its stages as rapidly as possible. It is not the custom, except in rare instances, I believe, for His Excellency to come down to sanction laws before the close of the Session, so, unless the public interest should imperatively require it, it is not to be presumed, I suppose, that this law will come into force before a couple of months hence. Consequently, the wish of my hon. friend (Mr. Burpee) will, in the nature of things, quite naturally be carried out. I do not see the necessity of introducing any extraordinary clause to meet a condition of affairs which I do not think likely to arise.

MR. DOMVILLE: What the hon. gentleman from St. John says may be true, but we have no guarantee that the New Brunswick Legislature will repeal their Attachment and Garnishee law. If, as the hon. member for Stanstead says, they wish to do so, they can in three days. That Legislature meets to-morrow, and, if disposed, can take that course.

MR. WELDON: I think the proposed legislation could hardly pass in three days. The attachment and garnishee laws have to be modified if not entirely repealed. The dissolution of attachments depends on proceedings in bankruptcy against a party. The Provincial Legislature may not entirely do away with those laws, but may merely modify them to meet the changes in the Dominion legislation. In regard to a Bill involving such changes, a time affording a reasonable season for preparation should be fixed before its coming into operation. When Congress repealed the Bankruptcy Act, a considerable time was allowed to elapse before it took effect. It is objected that parties might rush into bankruptcy; but, under the present law, a man cannot go in voluntarily, but can only assign on demand made. The amendment of the member for Montmorency (Mr. Angers) would prevent voluntary assignments. I suggest whether it would not be better to fix a day, say May 1st next, for the commencement of the operation of the Act. If parties intended rushing into bankruptcy in consequence of the Bill, after it passed this House, they would enter as fast as they could. I do not think the delay of a couple of months would materially alter the position of parties, and meantime New Brunswick would have time to legislate to meet the exigencies of the case. With the complicated law of Ontario it might be some time before that Province, either, could legislate to meet the altered circumstances of the case.

MR. COLBY: It must be obvious to the hon. members for St. John (Mr. Burpee and Mr. Weldon) that, even if the law passed, it would not take effect before the 1st of May next; should it take effect earlier, it would be only on account of the apprehension of some great abuse, flowing from the continuance of the actual law. My hon. friends ask that Parliament should tie its hands, and put it out of its own power to bring the Act into operation before a certain period; that, no matter what might be the dishonest rush into insolvency, Parliament should have no power to check it. They are asking too much. I am certain the new Act will not come into effect immediately, unless there be excellent reasons for it.

MR. HOLTON: There can be nothing clearer than that, if the House is of the

opinion it is expedient to repeal the law, it is expedient to repeal it at the earliest possible moment. The repeal is only founded on the assumption that the Act is working injuriously to the interests of the country, and, therefore, ought to cease as speedily as possible. I think that the fixation of the date would be exceedingly unwise. For myself, I remain of the opinion that it is unwise to repeal the law at all, and the best possible proof of its un wisdom comes from the mover of the Bill. He admits that we must have Provincial legislation to take the place of this in respect of insolvency, thus substituting a series of Provincial jurisprudences, differing from each other in many respects, for a uniform jurisprudence, co-extensive with the boundaries of the Dominion. This proposed new system must prove very unintelligible and inconvenient to the whole trading class throughout the country. A strong current of public opinion has set in so strongly in favour of the present law that I do not propose to endeavour to resist it, and I do not blame the Government for yielding to it. I venture to predict, however, that within a very few years—not more than two or three—the clamour among the trading community will be as strong as it was, first, in 1864, for an Act applicable to the old Province of Canada, and, in 1869, for its extension to the Provinces that joined it at Confederation. I lay down the proposition broadly, that the policy that urges us to repeal the law should lead us to give effect to the repeal at the earliest possible moment.

MR. COLBY: The hon. gentleman who has just taken his seat has not only expressed his own opinion, and that of the merchants of Montreal, but that of a very influential petition sent here from Toronto. If the Board of Trade of that city, as well as that of Montreal, suggests, as the member for Chateauguay suggests, that the present law should be repealed, until a uniform law is enacted for the division of estates, applicable to the whole Dominion, there must be good reason for such a course. Those influential bodies say, with that hon. gentleman, that, if this law is to be enacted, the sooner the better. The mercantile feeling of the country has expressed itself in favour of the immediate enactment of the proposed law, if the old law is to be repealed at all.

MR. BURPEE (St. John): The position of New Brunswick in regard to this matter is somewhat exceptional, this Province being unprepared for the proposed change of the law. My only desire is that repeal shall not take effect until New Brunswick has had time to legislate too, in a manner to meet the exigencies of the case.

MR. ANGLIN: If the majority of the House is decided that the Bill shall become law as early as possible, it would be well to know it. But, if there is anything in the reasons for delay put forth by the members for St. John, they should receive due consideration. I do not think we should be tying our hands by fixing a time for the coming into operation of this Act. But I think we should be delivering ourselves, hand and foot, into the hands of the Administration, if we left the time at their discretion. We should have a distinct understanding on this point, and probably, also, the opinion or pledge of the leader of the Government. If we do not ask his opinion, we divest ourselves, in case we pass the Bill, of all further power of interference in the matter.

MR. GAULT: I regret very much, as a representative of the commercial community of Montreal, to see this Bill for the repeal of the Insolvent Act pushed through the House with so much haste, and that is the feeling of all merchants, not only in Montreal, but throughout the Dominion. The merchants of Toronto have taken the same stand, and pronounced in favour of the existing law, because no other has been introduced to supersede it: if another had been brought in that would have proposed an equal distribution of the assets of an insolvent, the merchants of Montreal would have been satisfied. I have presented a very strong petition to this House, signed by seventy-five leading merchants, and all the banks in Montreal, against the repeal of this Act, and I hope the hon. members of this House will consider seriously their duty before voting for its repeal.

SIR JOHN A. MACDONALD: I do not think it is a proper course—I might say not a constitutional course—for the Government to enter into any arrangement across the floor of the House with regard to the time, after a Bill passes, when the Crown should give its

assent to it. If the House desires, it can be postponed. There is only one way of securing such a delay—inserting a clause in the Bill providing it should take effect only after such a time.

MR. WELDON: My only desire is that New Brunswick shall have time to amend her laws before this Bill goes into force, so as to meet the altered state of affairs, in the interests of the commercial community. The member for Stanstead says it will not come into operation for two months; but we could avoid all danger by declaring the law shall not have force till after the present Session.

MR. COLBY: I would like, while this subject is before the House, to report what is said by the merchants of Toronto. The petition is as follows:—

“If, however, it is decided by your Executive that it is expedient and desirable the existing Act should be repealed, your petitioners pray no notice of such repeal be given, but that it may be brought into force forthwith, otherwise the effect must be most disastrous to the whole community.”

Here are fifty leading merchants in one of the most influential cities of this Dominion, who prefer that the law should remain as it is, but they ask, if it is to be repealed, that it should be brought into operation forthwith. I have been approached by many influential persons, asking that a clause be introduced to bring the whole Act into operation from the commencement of the Session, or from the day of the introduction of the Bill. Here are two requests made to this House from influential sources, one asking that the repeal of the Act may take effect immediately; the other, that the repeal shall not take effect for a period of two months. I do not believe that the House can do better than allow the measure to take its legitimate course, by doing nothing exceptional in the case.

MR. BRECKEN: I voted against the repeal of the Bill last Session, but, I must admit that, between that time and the present, my opinion has undergone a change. It is my intention now to support the Bill of my hon. friend from Stanstead. In Prince Edward Island, however, we have no law which provides for the equitable distribution of the estates of insolvents, and, while I feel that, if the time at which this Bill is to come into operation is to be postponed,

there will be a great rush into the Insolvent Courts, I feel that it is due to the Lower Provinces that this point should be taken into consideration. I hope my hon. friend from Stanstead will see his way clear to adopt the suggestion of my hon. friend from St. John, and name a time for this Bill to come into operation. In Prince Edward Island, if this law is repealed, the creditor who is successful in obtaining the first judgment can issue an execution against the property of the debtor, and he may sweep it all away. That is exactly how we stand. To use a common phrase, it will be a game of grab. Our Legislature meets on the fourth of next month, and, I have no doubt they will see the necessity of following the example of the other Provinces, and making some provision for the equitable distribution of an insolvent's estate. I agree with the remarks that have fallen from the hon. member for Chateauguay that it is a misfortune that we do not possess a uniform law on the subject. I also think it is a matter of regret that the Bill introduced by the hon. member for Stanstead did not receive the attention of the House until late last Session. I am satisfied that not more than two or three years will transpire before the merchants of the Dominion will be asking for a law to regulate the affairs of insolvent debtors, and I doubt whether such a law, when it is placed before the House, will be found to differ much, either in principle or in detail, from that submitted last year. It is a difficult question to deal with. No subject has come before the Legislature of this country more frequently than that of insolvency, and no subject has more puzzled statesmen in various countries. In consideration of the peculiar position in which the Lower Provinces stand, I hope the hon. gentleman will see his way clear to suspend the operation of this measure for a definite time. If there is a rush into the Insolvent Court, the affairs of insolvents will still be regulated and controlled by the provisions of the law.

MR. ROSS (Dundas): This subject is one of so great importance that I think we ought to very carefully consider the matter before taking action in regard to it. We have plenty of time, and I, for one, am prepared to sustain that course.

MR. GIGAULT: I understand that

the great majority of our merchants are against the repeal of the Act. They are of opinion that it should be amended, but not repealed, and I think we should comply with their wishes if, by doing so, we do not encroach on the rights of the other classes of the community. The Bill presented last year by the hon. member for Stanstead would have done full justice to both traders and non-traders. We do not know that the Senate will not reject the measure, as it did last year, and, if it does, we shall have to keep the Insolvent Act of 1875, with all its defects, on the Statute-book. If we cannot do away with the defects of the law of 1875, I will vote for its repeal.

MR. McCUAIG: I am free to admit that dissatisfaction prevails with many of the clauses of the Insolvency Act. First, it is alleged that a discharge is too easily obtained, and reckless trading is the result, producing, by the sacrifice of the stock of the insolvent, often by the insolvent himself selling far below cost before failure, and through the assignee, selling *en bloc* after entering into possession, thus creating a ruinous competition with the honest merchant, endeavouring by economy, and careful and prudent management, to pay his purchases in full. Again, instances of great hardship can be cited where farmers, from a kind and generous motive, have endorsed bills for merchants or traders; before the maturity of the bill, the drawer, a merchant or trader, from some unforeseen disaster, is forced into insolvency by his creditors; in a few months, at most, he obtains his discharge under the Insolvent Act; and the farmer, even after his home and his property are sold by the sheriff to satisfy the demand, if it proves insufficient to discharge the debt in full with costs, is left with the balance hanging over him, which a lifetime of his industry and small savings would not pay. Such a state of things, which the present Insolvent Act permits, is repugnant to public policy, and all clauses of the Act upholding it should certainly be repealed or amended, so as to place the farmer and the merchant, in all such cases, on an equal footing. The unconditional repeal of the law places the trader and the farmer on an equality, certainly, though it opens the door for preferential judgments, securing thereby priority to one creditor

over all the others. It will not be contended by hon. members of this House that such a state of things is desirable, which an unconditional repeal would bring about; and, if it be admitted that, in all cases where a debtor is unable to meet his engagements in full, his estate should be divided equally with all his creditors, then it follows that only those objectionable clauses, relating more particularly to the conduct of assignees and discharges, to which I have already called the attention of the House, should be repealed, and those clauses preserved of the present Bill that secure a proper division of the estate of an insolvent, share and share alike, or fairly and equitably with all the creditors. I am informed a Bill is now before the Ontario Legislature which would secure this most desirable object. I have now before me the Bill introduced by the Attorney-General of that Province, and, for the information of hon. members, I will read the clauses bearing on those points. Clause five reads:

“In case a sheriff levies any money upon an execution against the property of a debtor, he shall forthwith post up in his office, and until such money is distributed shall keep so posted, a notice stating that such levy has been made, and the amount thereof; and such money shall thereafter be distributed, ratably, amongst all execution creditors and other creditors whose writs, or certificates, given under this Act, were in the sheriff's hands at the time of such levy, or who shall deliver their writs or certificates to the said sheriff within one calendar month from the first posting of such notice.”

Then clause seven is as follows:—

“No creditor shall be entitled to share in the distribution of money levied out of the property of a debtor unless either by the delivery of a writ of execution, or otherwise, under this Act, such creditor has established a claim against such debtor either alone or jointly with some other person or persons.”

The latter clause it will be observed, makes it imperative for a creditor, before he can demand from the Sheriff a proportion of his claim, to institute proceedings, through the Courts of Law of that Province, to establish it, and finally obtain judgment and execution against the debtor. It requires but little examination of this proposed Bill to be convinced that the results of such proceedings, practically, will not divide the estate with the creditors, but with

the members of the legal profession; in short, a small estate would certainly be all absorbed in law costs. Aside from this objectionable feature in this proposed Bill of the Legislature of Ontario, I am of opinion that Ontario, with the other Provinces of the Dominion, by the British North America Act, was deprived of all authority to deal with insolvency; and, as long as this doubt exists, appeals to the Supreme Court will unavoidably follow, and, of necessity, thereby lessen, still more, the assets of the insolvent. I have received a petition, this morning, from the principal Banks of the Dominion, and from the most influential of the merchants of the city of Montreal, and I have also noticed that the Boards of Trade, of nearly all the cities, are opposed to the unconditional repeal of the Insolvency Law, introduced by the hon. member for Stanstead. I am of opinion that representations from such influential sources, should receive at the hands of the hon. members of this House every consideration to which they are fairly entitled, before accepting so sweeping a measure as this, which, among many other objections to it, would do away also with that uniformity of commercial law extending over the whole Dominion, which it is certainly in the interests of the country to preserve. I would say to the hon. member for Stanstead, that it is not for him to speak of inconsistency. Last Session, that hon. gentleman proposed to save the country by an amended Act, which, being unceremoniously rejected by the House, this season he proposes to accomplish the same object by the exactly opposite course, of repealing the Bill altogether.

MR. COLBY: With reference to the law introduced by the Ontario Government, if there are any defects in it, I have no doubt they will be carefully considered, and remedied by the Local Legislature. It is not for us to take that measure into consideration. With regard to the hon. gentleman's proposition, I think he comes rather late in the day to expect the House will entertain it favourably.

Section agreed to.

MR. GIROUARD (Jacques Cartier), moved the amendment of which he gave notice on Friday last. [*Vide* p. 104.] He said: I think that, while on the one hand we are going to repeal the Insolvency Laws, we ought to free honest debtors from their lia-



bilities. Those debtors, who have given up the whole of their estates, and who have not been guilty of any fraud or fraudulent preferences, within the meaning of the Act, should be able to receive their discharge. No doubt, some fraudulent debtors will take advantage of such a provision, but the great principle of the British Constitution, which is also a Christian principle, is, that it is better that ninety-nine guilty persons should escape than that one innocent person should be improperly punished. I have no feeling at all in the matter. I believe that the amendment I propose is a fair one, and I therefore submit it to the consideration of the House.

*Motion negatived.*

MR. LANE: I voted against the repeal of this Act last Session, and, I think that, although the House was in favour of a repeal at that time, it is not so strongly in favour of a repeal at the present time. I think it would be rather unfortunate, if we were to repeal this Act, as it is proposed to do now. We have very strong petitions from mercantile men opposing the repeal of the Act. Hon. gentlemen representing farming constituencies have not the same interest as hon. gentlemen representing large cities. It would seem that this measure would involve a great deal of difficulty and loss to the commercial community. Therefore, I will move that the Committee rise.

*Motion negatived.*

MR. ROCHESTER: I desire to move an amendment which is intended to remedy that part of the law which renders it necessary for insolvents to pay fifty cents on each dollar of their liabilities before a Judge has power to grant them a discharge. There are, doubtless, many instances in which insolvents cannot pay fifty cents in the dollar—often through no fault of their own—and, in many cases, their inability to do so must be ascribed to the assignees who wind up their estates. This amendment is, therefore, simply to give an honest insolvent a claim to his discharge after giving up all he is possessed of.

MR. GIROUARD (Jacques Cartier): Allow me to say one word in answer to the hon. gentleman who has just sat down. No discretion is left with the Judge now

to grant the discharge of the debtor who has not paid fifty cents in the dollar. Formerly, there was a certain discretion left to the Judge to grant the discharge; but, by the law of 1877, it was not made a matter of discretion with the Judge; it was the imperative duty of the Judge, where a debtor's estate did not realise the fifty cents, to refuse it, and any creditor had a right to object. In a recent case at Montreal His Honour Mr. Justice Jetté expressed much regret that there was such a provision in our Insolvent Laws. He stated that, if there had not been such a provision, he should certainly have granted the debtor, in this particular case, his discharge. The amendment now proposed by the hon. member for Carleton (Mr. Rochester) is absolutely necessary in order to grant relief to unfortunate insolvents, who have been guilty of no fraud, and have given up their estates to their creditors.

MR. BLAKE: Why should we repeal the Insolvent Law at all, if any honest man, whose whole estate has gone to his creditors, should be discharged? Why did the hon. gentleman (Mr. Girouard) second this Bill to repeal the Insolvent Law? We have, from time to time, in accordance with public opinion, been increasing the difficulty of obtaining a discharge without consent. It was thought to be wrong that debtors should so easily get their discharge. It is true, as the hon. gentleman has said, that the Judge has not now the absolute discretion he had under the former law. It was found that the restriction, under the former law, was practically inoperative. The kindly feeling or weakness of the Judge, when he had such a discretion, resulted in almost universal discharge. But the insolvent is not in the difficulty that the hon. member for Carleton (Mr. Rochester) supposes. Although the clause referred to by the hon. member for Jacques Cartier (Mr. Girouard) prevents the Judge from exercising the unlimited discretion he formerly had, the demand for a payment of fifty cents is not inexorable; it does not apply to those cases in which the estate would have produced fifty cents in the dollar, but for default, after the estate passes out of the hands of the insolvent. The section is this:—

“ Provided always, that the Judge shall not grant any discharge under this section in any

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case, unless some one of the following conditions be established by proof, that is to say:—

“1. That a dividend of not less than fifty cents in the dollar on the unsecured claims has been, or will be, paid out of the insolvent's property; or,

“2. That such a dividend might have been paid but for the negligence or fraud of the assignee or inspectors.”

So that, if, as the hon. member for Carleton says, there are many whose estates would have produced fifty cents in the dollar but for the negligence of the assignee, these are entitled to their discharge under the law, as it stands.

MR. ROCHESTER: The attempt to make assignees responsible for cases in which estates do not realise anything like their value would be a very unnecessary and useless task; since it is well known that assignees, in nine cases out of ten, wind the greater part of the proceeds of insolvent estates into their own pockets. I am certainly in favour of repealing the present Insolvent Laws; but, at the same time, would wish to see every insolvent to whose charge nothing dishonest can be laid entitled to a discharge, even should his estate not realise fifty cents in the dollar; and my amendment is simply to give to such a claim to a discharge.

MR. STEPHENSON: I agree with the hon. member who has just spoken. I have a case in point. A person was thrown into insolvency, in consequence of his saw-mill being burnt down, and his lumber being destroyed by fire. His estate would have paid a good deal more than fifty cents in the dollar, but for this loss. The assignee did not eat up his estate, but the fire did; and he could not get his discharge.

MR. BLAKE: Suppose the loss had taken place after the passing of this Bill; how would he get his discharge?

MR. WHITE (North Renfrew): Until I heard the discussion to-night, I thought there was a wish to repeal the Insolvent Laws; but, when I hear hon. gentlemen discussing the effect of affording relief to insolvent debtors, it seems to me that the growth of opinion in favour of the repeal of Insolvent Laws, which prevailed in this House, and which prevails throughout the country, instead of strengthening, is waning. The House ought, therefore, to consider whether we should not go back a step, and think seriously whether, after all, the Insolvent Law ought to be repealed.

It seems inconsistent that those who are in favour of repealing the Insolvent Laws should now be anxious to incorporate a clause giving relief to insolvent debtors.

MR. ROCHESTER: If the hon. gentleman alludes to me, I may say that, if he paid attention to what I said, he would find I declared in favour of repeal of the Insolvent Law; but that I wished that those who are now in insolvency should get their discharge.

MR. WHITE (Cardwell): That means that a number of persons are going to be better off in consequence of the passing of this Act than if the Act were not passed. The great objection to the Insolvent Act is the too great facility it affords debtors of obtaining their discharge. Notwithstanding that clause in the Act providing that unless a debtor pays fifty cents in the dollar he shall not be discharged, the average paid has been about twenty-seven cents in the dollar, compositions being made by voluntary arrangement. So that, in reality, the clause has not operated very seriously in the past. There has been too great a facility for insolvent debtors to receive their discharge, and we ought to be careful not to increase that facility. We should not grant discharges in opposition to the law now in the Statute-book.

MR. MACDONNELL (Inverness): When the clause of the Act of 1877, which provides that the estate should pay fifty cents in the dollar, was before the House, it had a great deal of opposition. The House was pretty evenly divided, and several members now present, among them myself, took objections to that clause. It was most tyrannical to give power to the creditors to put a man into insolvency, and yet have the power to withhold his discharge. I consider it a most tyrannical clause, and I do not see what ends it can serve. I cannot see why insolvents who are honest, not even charged with fraud, and who are not blameable for having become insolvent, should be prevented from getting their discharge and re-entering trade.

MR. GIROUARD (Jacques Cartier): It has been said that it is inconsistent for gentlemen in favour of repealing the Insolvent Laws to support this amendment. I am in favour of repealing those

laws entirely ; but this amendment of the hon. member for Carleton (Mr. Rochester) deals with debtors in the past, who have been dispossessed of their estates under previous laws, and who should be entitled to their discharge, when it is proved, to the satisfaction of the Judge, that they have given up everything, and done nothing wrong. This is nothing but the consequence of the repeal of the Act pure and simple.

MR. WALLACE (South Norfolk) : In answer to the charge of inconsistency, I may say that I voted for the repeal of the Insolvent Law last year, with the distinct understanding, and on the assurance of one of the members of this House, that a law would be introduced, providing for the winding-up of insolvent estates; and, when I found that such a Bill was not to be introduced, I refused to vote a second time.

MR. MACKENZIE : Who gave the promise ?

MR. WALLACE : The hon. member for Jacques Cartier (Mr. Girouard).

MR. BLAKE : I wish to point out that the present law, referring to the debtor's discharge, is not so tyrannical as has been contended. The third sub-section of the clause, from which I have already read, adds this other condition :—

“3. That the insolvent had, on some day prior to the institution of the proceedings in insolvency, mailed, prepared and registered, to the address of each of his creditors, so far as known to him, a declaration acknowledging his insolvency, and that no proceedings in insolvency had been instituted against the insolvent for more than one month after the mailing of such notices, and that such a dividend would have been paid, but for the circumstances for which the insolvent cannot justly be held responsible arising more than one month after the mailing of such declaration.”

So that, if any man sees his estate so diminished that it will not pay much more than fifty cents, he can inform his creditors ; and, if they do not take speedy steps to put him into insolvency, and during their delay the estate has got worse, he can obtain his discharge, even though it does not realise five cents. With reference to the suggestion of the hon. member for Jacques Cartier (Mr. Girouard) as to there being no inconsistency between this amendment and the Bill, it seems to me the proposal is only like one other bit of legislation that I

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remember, a law of the Imperial Parliament, on a subject to which the hon. member is to direct the attention of the House at some future day. I refer to the vexed question of marriage with a deceased wife's sister. It is well known that, up to a certain point, in England, marriage with a deceased wife's sister was voidable during the life of both the parties, but was not void ; but at a certain period Parliament changed the law. First of all, it declared that marriage with a deceased wife's sister for the time to come should be not merely voidable, but absolutely null and void ; secondly, it declared that, for the time past, all such marriages should be, not merely voidable, but absolutely good.

Amendment *negatived*.

Bill *ordered* to be reported.

House *resumed*.

(In the House.)

Bill *reported*.

Motion *made* and question *proposed* :

That the amendment made to the said Bill in Committee of the Whole be now read the second time and concurred in.—(Mr. Colby.)

MR. HOLTON : We ought not to hasten this Bill unduly. We have two remaining stages—receiving the report of Committee and the third reading. My impression is that the report of the Committee should be received on the first Private Bill day of next week, say Monday, and the third reading should be set down for the Wednesday following, which will give hon. gentlemen an opportunity of formulating their opinions in the shape of amendments, on which the sense of the House, no doubt, will be taken.

MR. COLBY : I have no desire to push this with undue haste, but I think it would be well if the opinion of the House with regard to this Bill should be declared at an early day, and that the whole question should be settled, so that the business men of the country may understand what their position is. But I do not propose to urge the third reading of this Bill to-night, but my impression now is that no disadvantage could result if we are permitted to take concurrence to-night, and then, at some future day, the whole question may be decided upon the third reading.

MR. HOLTON : I think I have accurately interpreted the feeling of many members who sit round me in desiring that the two opportunities of offering amendments should be given. Therefore, I repeat the suggestion, to fix the reception of the report for Monday next.

MR. COLBY : We will receive the report of the Committee to-morrow.

MR. BLAKE : I observe that an hon. member has given notice of some amendments to continue the Insolvency Law so far as it affects the privileges of Banks and Insurance Companies, but no motions hitherto have been proposed on that subject.

MR. COLBY : The hon. member for Richmond and Wolfe (Mr. Ives), who had given that notice, does not now intend to press these amendments to this Bill, but to propose a substantive Bill, of which he has given notice.

MR. BLAKE : That, of course, renders it all the more necessary that those hon. members who are disposed to believe that the Insolvent Act should not be repealed, and trust to the fate of some other measure for reviving it, with reference to Banks and Insurance, should have a sufficient opportunity for formulating their views on this subject.

*Ordered*, That the Bill, as amended, be taken into consideration on Friday next.—(Mr. Colby.)

#### ELECTION ACT AMENDMENT BILL.—

[BILL 6.]

(Mr. Bolduc.)

#### SECOND READING NEGATIVED.

Order for second reading read.

MR. BOLDUC : The object of this measure is to alter the amount of the deposit required from each candidate at an election, so as to prevent, as far as possible, the practice often resorted to in constituencies, of putting up bogus candidates, with a view of preventing an election by acclamation. The real property qualification having been abolished by the Act of 1874, any person, however poor he may be, who enjoys the confidence of his fellow-citizens, may be a candidate at an election, but the author of that law required from the candidate a compliance with certain formalities. Thus, before being nominated, he must furnish to the Returning Officer himself, or through some other person on his

behalf, a nomination paper signed by at least twenty-five electors, and deposit at the same time a sum of fifty dollars in the hands of the said officer, the object of such formalities being, undoubtedly, to prevent useless contests. But is the deposit of fifty dollars sufficient to prevent certain persons from raising factious opposition to a *bonâ fide* candidate in a constituency, in order to give him trouble and compel him to undergo the expense of an election contest? I do not believe it, Mr. Speaker, and I am convinced that, without the adoption of the measure now submitted to the consideration of the House, it will be impossible to do away with the abuses. An examination of the report of the Clerk of the Crown in Chancery, in relation to the last elections, will soon convince anyone of the importance of this matter. I may mention, amongst other counties, Dorchester, Champlain and the county I have the honour to represent. In those counties there would have been no contest, if the deposit had been higher. By the Bill now submitted, I propose that the deposit to be made by a candidate shall be \$300 in place of \$50, and that such deposit be returned to the candidate elected, as well as to the other candidates who shall have obtained at least one-half the number of votes polled in favour of the candidate elected. I think this amendment will have the effect of doing away with useless contests; for a candidate who cannot secure the support of a respectable number of electors will stay at home, rather than run the risk of forfeiting his deposit. On the other hand, the *bonâ fide* candidate will not hesitate to deposit that amount, being convinced, beforehand, that he will be in a position to recover it after the election. A similar law already exists in the Province of Quebec, and gives universal satisfaction, and I trust that hon. members of this House will feel bound to support this measure.

MR. LANDRY : The object aimed at by my hon. friend the member for Beauce (Mr. Bolduc) is one which will naturally meet with the approval of all the members of this House. The proposition which is now before us calls for two things: first, the abolition of the absurd tax to which the present law subjects every candidate; and secondly, the creation of a sufficient deposit to prevent candida-

tures which are not seriously meant. As the law now stands, no one can be a candidate, no one can solicit the votes of the people, no one can be nominated unless he deposits with the Returning Officer the sum of fifty dollars. That amount, let the result of the election contest be what it may, is not returned to the candidate; it is, therefore, a tax and a direct tax on every candidate who desires to present himself, and he who wishes to labour for his country's good, he who wishes to assume the responsibility, always an onerous one, of working for his country and representing in this House the many and multitudinous interests of his constituents, is mulcted in a certain sum. There is no reason for the existence of that tax, and I congratulate my hon. friend upon his calling upon this Parliament to do away with it, and I rely upon the practical disposition of all the hon. members of this House, when I express the hope that that proposition will meet with their warmest support. And let it not be said that, in future, if this proposition be adopted, trifling candidatures will arise on the day of nomination. No such apprehension need be entertained in view of the second provision of my hon. friend's Bill, which requires that a deposit of \$300 be made with the Returning Officer, such deposit to be returned to the candidate elected, and to the defeated candidates, provided the latter have polled in each case at least one half the number of votes given for the elected candidate. These are the provisions which are now law in the Province of Quebec, except that the sum in that Province is \$200. That provision of our Provincial law works well, in no way interferes with the liberty of the subject, and assists greatly in preventing trifling candidatures. I should gladly see it adopted by the House, and for these reasons shall feel it to be my duty to support the measure suggested by the mover of the Bill.

SIR JOHN A. MACDONALD: I approve of this Bill, to a certain extent, but I think it would be better to reduce the sum to \$200, and to provide that, in the case of a party succeeding in polling one-half the votes of the successful candidate, he should have \$150 back. I am strongly in favour of keeping off bogus candidates, who desire to have their names

appear in the newspapers as candidates, and who, for the sake of a little notoriety, force a contest on a constituency. Fifty dollars is a small sum, which, I think, most candidates would be willing to pay. That was the general feeling at the time this matter was discussed before. I am inclined to think, however, that fifty dollars is not sufficient for the purpose. Those hon. members who were in Parliament at the time this principle was adopted may remember that there was a strong pressure to increase the amount. It has been tried in Quebec, where \$200 is exacted, and it has been found to succeed in that Province. That sum would not prevent any candidate from coming forward who has any reasonable hope of success, while it would prevent the worry and demoralisation resulting from a score of unnecessary contests.

MR. HOLTON: In Quebec, \$200 must be deposited, but, I think, the whole amount is returned.

SIR JOHN A. MACDONALD: I am in favour of \$150 being returned,

MR. HOLTON: The whole amount is returned in Quebec, in the event of the losing candidate getting one-third the votes polled, when there are only two candidates; but I think the exaction of any deposit involves a restriction upon the freedom of choice among the electors. I regard it, therefore, as objectionable in principle. I remember well the discussions we had, when the Election Act was before the House. It was proposed, if I remember rightly, by the gentleman in charge of the Bill, now Chief Justice Dorion, to make the deposit larger, but, after a good deal of discussion, it was fixed at fifty dollars. Perhaps a provision for a small deposit of that kind, as evidence of good faith to prevent merely bogus candidates, may be acquiesced in. It is hardly worth while, perhaps, to move for its repeal, but the thing itself I regard as very objectionable indeed. The old doctrine was, and I think it was sound doctrine, that it was for the electors to determine whom they would put in nomination. It was not necessary for a candidate to solicit the suffrages of a county. It ought to be competent for the electors, twenty-five or fifty in number, to fix upon and nominate such candidate. There are cases in which the deposit of \$200 might really tend to defeat the freedom of

choice among the electors. I think it is hardly worth while making any change. Perhaps, before another general election comes around, the whole Election Law may come under review. There may be other changes, perhaps more important than these, called for during the lifetime of this Parliament.

MR. BLAKE: I recollect the motives which induced this change. It was consequent on the novel provision with reference to putting men in nomination. We were adopting the new principle of the ballot, and a new principle of avoiding public nominations, and it was suggested that, while under the old system the manifest sense of the electors assembled at the public nominations tended to prevent abortive or vexatious nominations, the new proposal, that a candidate should be put in nomination without any public meeting whatever, would give greater facilities for abortive or absurd nominations, and useless contests. It was thought that some check on this should be created, in place of that effected by the presence of the electors at the nomination. Two things were proposed: first of all, that the nomination papers should be signed by a substantial number of electors, and that was agreed to; secondly, that a certain sum should be paid in as a deposit. There was talk of a larger sum, and there was serious objection, by some persons, to the exaction of any sum as the price of putting a man in nomination. But the smaller sum was agreed upon, as one that would not seriously affect the freedom of election, and which might, at the same time, have the desired effect of checking frivolous nominations. I think, if there be any change in the law at all, it should be a change not to increase the amount paid in, but as to the application of the payment. I think it would be reasonable to provide that the successful candidate should receive his fifty dollars back, and that the unsuccessful candidate, who has proved, by the vote, that there was even the smallest chance for a reasonable contest, should receive back his; but the sum itself is, perhaps, so unimportant as to render a Bill for that purpose unnecessary. I agree with the hon. gentleman from Chateauguay (Mr. Holton) that there are serious objections to the exacting of an important sum as the condition

of nomination. The election might go on suddenly. There might be some difficulty about raising a fund in a remote part of the country, there might be some miscarriage of a money letter, a sum of \$300 might not be available at the place of nomination, and the electors might thus be deprived of the opportunity of taking the sense of the constituency, by reason of this money qualification. Therefore, while I should agree to all that part of the hon. gentleman's Bill which proposes to remove, as far as may be, the pecuniary loss consequent on the demand of a deposit of any amount, I, for my part, differ from his view when he proposes to increase to such a large figure as \$300 the amount of the deposit.

MR. DESJARDINS: The working of the existing law in relation to Local elections in the Province of Quebec has not resulted as pointed out by the hon. member for Chateauguay (Mr. Holton). The sum of \$200, which that law requires to be deposited, has not, in any way, prevented candidates from presenting themselves in the several counties in that Province. A proof of this presents itself at the present moment. In the county of Rimouski, three or four candidates are presenting themselves at the same time, notwithstanding that each of them is compelled to deposit \$200 on the day of nomination; and this proves that the deposit of such a sum in no way prevents candidates from entering into the contest.

MR. HOLTON: The nomination has not taken place as yet.

MR. DESJARDINS: My information is that it took place to-day, and, as four or five candidates were nominated, we see that the deposit of \$200 does not prevent any serious candidate from coming forward, at least in that Province. It is a false principle to impose a tax on a candidature, as the Federal Law now in force does. That a deposit should be required for the prevention of factitious candidatures, on the part of certain individuals, whose only object is to cause trouble and embarrassment to *boni fide* candidates, and that that deposit should be forfeited if the person by whom it is made does not receive at the poll a reasonable proportion of votes, is right; but that the impost should remain as a tax upon the candidature itself is, in my

opinion, opposed to all proper ideas in relation to the Election Law, and to the standing of a man called upon to enter into political life. I therefore hope that the Bill introduced by the hon. member for Beauce (Mr. Bolduc), will receive from the House the consideration which it deserves, and that it will become law.

MR. LANGEVIN: I do not see that there can be any objection to the increase of the deposit to \$200. As has just been stated by my hon. friend, \$200 are required to be deposited by candidates in Quebec, and yet there is no difficulty in finding *bonâ fide* candidates to come forward. More than that, I will cite the case of the county of Chicoutimi, where the candidate for whom the people were most generally in favour was absent from the Province, but, nevertheless, they contributed readily of themselves the sum of \$200, and deposited it in his name in order that the electors themselves might put him in nomination. Therefore, when the people themselves are desirous of putting forward any man as a candidate, they can find \$200 just as easily as \$50. But the real object of the measure, as I understand it, is to prevent a man coming forward simply that he may be bought by the opposing candidates in order to clear the way for an election by acclamation. Men of that class are sometimes brought forward by those interested in having a contest in the county. If such men were obliged to deposit \$200 as a condition of their candidature, and knew that they would lose it unless they polled one-third of the whole vote, we would find very few bogus candidatures. In the county of Rimouski, four candidates have been nominated for the Local Legislature, and each one of them must have deposited his \$200. That does not, therefore, prevent candidates, or all the candidates, from coming forward. The object of the measure, thus being only to prevent bogus candidatures, I will vote for the Bill, because I approve of its principle. I hope, however, the hon. mover will reduce the amount to \$200. I agree, also, with the First Minister, as to the amount to be returned, because I think it a fair provision that the successful candidate should have three-fourths of his deposit returned to him.

Some HON. MEMBERS: Return the whole.

MR. DESJARDINS.

MR. LANGEVIN: I think the successful candidate should contribute something towards the cost of the elections. The fifty dollars are now retained; why should they not continue to be paid into the Public Treasury?

MR. MILLS: I do not think the principle of the Bill is one we should support. I think that such legislation tends to restrict the electors' freedom of choice. The proposed deposit might prevent the candidature of a person absent. If any person becomes a candidate, with the expectation of compelling some other candidate to buy him out of the way, the \$200 mentioned would not stand in his way. He would be selling himself very cheap if \$200 would deter him from being a candidate. The law already is sufficient to prevent bribery. A candidate with a fair chance of election is not likely to bribe anybody to quit the field. The requiring a nomination paper at all is scarcely consistent with the principle of the ballot, which is the principle of secrecy. Nomination papers may proclaim the preferences of large numbers of electors. We should, if we do anything, diminish the number required to sign nomination papers, and, as to deposits, abolish them altogether.

MR. ROSS (West Middlesex): We have had only one election since the law was passed requiring a deposit of \$50. I think the mover of this Bill has not represented that, under its provisions, a plurality or superabundance of candidates was found in any constituency. If it appeared there were more candidates than usual, a larger deposit than \$50 might seem desirable. It does not appear that the present arrangement is at all unsuitable to the general interests of the country, so I see no necessity for this proposed change. It seems in the opposite direction to the existing law, as regards the qualifications of members of this House. The property qualification was abolished in 1874. I think that the freedom of choice on the part of the electors should be left as wide as possible. For that reason, the Bill appears retrograde and undesirable, and should not, in my opinion, receive the support of the House. The Government that at one time vaunted itself on being the poor man's friend has not given us a very strong illustration of that policy lately.

We have had an Order in Council imposing a tax of twenty dollars on the emigrant coming into the country, or requiring he should possess that sum before being allowed to place his foot on our favoured soil, and now the same Government favours a Bill, interfering with the electors' freedom of choice of members to this House, furnishing another indication of its abandonment of that policy, beneficial to the poor man, by Ministers who have pretended to be the poor man's friend. I hope we shall live to see the abandonment of all its policy, in a similar way. I enter my protest against this proposed retrograde movement, and more especially as we have not had a superabundance of candidates in Ontario.

MR. THOMPSON (Cariboo): I think the hon. member for West Middlesex (Mr. Ross), in his eloquent speech, took a retrograde step in opposing this Bill, which the hon. member for Beauce (Mr. Bolduc) is entitled to credit for bringing forward. I opposed the imposition of the tax of fifty dollars, placed on all of us, which is more unfair than requiring twenty dollars to be possessed by an emigrant. I think the member for West Middlesex might be glad to see the return of \$200 to the person elected, instead of a tax of fifty dollars upon him to go permanently into the public exchequer. I should be willing to see a deposit of \$1,000 by each of four or five candidates, and the successful man to receive the whole. If that principle, in accordance with the National Policy, be advocated, I shall cheerfully vote for an amendment to that effect.

MR. ORTON: I can hardly see why the choice of the people should be taxed fifty dollars, or any sum. There seems to be a favourable law on the subject in the Province of Quebec. If anything further were needed to prevent bogus candidates from running, it might, perhaps, be wise to increase the number, and, instead of one-half, make it necessary for the unsuccessful candidate to poll two-thirds of the votes polled by the successful candidate, in order to secure the return of his deposit.

MR. HOUDE: Do the hon. members who have pronounced themselves against the Bill of my hon. friend from Beauce appreciate their country to the extent of

pretending that those seeking for the honour of becoming the representatives of the people in this House cannot find money enough to make a deposit of \$200 or \$300, which they will recover back if they obtain a reasonable number of votes? I suppose a candidate who could not afford to make such a small deposit would be only a candidate expecting to make money in becoming a member of Parliament, a business not much paying, however, as we all know by experience. If he cannot, at least, have that moderate amount advanced by the constituents whose votes he solicits, it is clear he does not enjoy much their confidence, and that he has no chance of being elected. I think, nevertheless, that the sum of \$200 would be a sufficient deposit to prevent futile candidatures. It seems to have given general satisfaction for the Local elections in the Province of Quebec.

MR. BOULTBEE: The feeling of the mover of the Bill seems to arise from the fact that, in Quebec, they have had, or contemplate, much difficulty from bogus candidates. We have not had the same difficulty in Ontario, so far as I am aware, and it does not seem to be necessary with us that this deposit should be made. The principle of our representative institutions is that the people select a candidate to represent them, and it does not seem exactly right that the candidate should be practically bound to pay \$200 or \$300 for having had the honour of being their choice. Our hon. friends from Quebec talk very lightly about putting up \$200 or \$300. They are wealthier than we, I dare say. I can assure them I know one instance of an Ontario candidate finding a great deal of trouble to get the necessary fifty dollars, and where the demand of \$200 would have caused serious financial annoyance. With our lack of capital in Ontario, it would not be convenient to lock up \$200 or \$300. We prefer to use our capital to the best advantage. That large sum required would check many ambitious candidates, in the burning desire we experience to serve our country at \$1,000 a year. It would, I say, nip that ambition frequently in the bud, because, especially with the hard-headed and cautious Anglo-Saxon, there is a theory strongly prevalent that, when a man pay out his money, he does not get it back. And, moreover, as has been



suggested by a gentleman on a different side of the House from the one I referred to just now, it will take money out of a man's pocket at a crisis when it is eminently necessary in an election. Altogether, I am sure, despite the opinion of our leader, and various other heavy men, that it will be an unpopular measure in Ontario.

Motion made and question proposed :

That the said Bill be now read the second time.—(Mr. Bolduc.)

The House divided :—Yeas, 69; nays, 71.

YEAS :  
Messieurs

Angers	Lane
Baker	Langevin
Barnard	Little
Bergeron	Macdonald (Kings, PE1)
Bolduc	Macdonald (Victoria, BC)
Bourassa	McDonald (Cape Breton)
Bourbeau	McDonald (Pictou)
Bowell	McGreevy
Brecken	McInnes
Brooks	McLeod
Caron	McRory
Cockburn (West North- umberland)	Masson
Colby	Massue
Connell	Méthot
Cuthbert	Montplaisir
Dawson	Mousseau
Desaulniers	Orton
Desjardins	Ouimet
Domville	Patterson (Essex)
Drew	Pope (Compton)
Ferguson	Rinfret
Fiset	Ross (Dundas)
Gault	Routhier
Gigault	Royal
Girouard (Jacques Cart.)	Ryan (Marquette)
Grandbois	Rykert
Houde	Skinner
Hurteau	Snowball
Jones	Thompson (Cariboo)
Kaulbach	Tilley
Kilvert	Vallée
Kirkpatrick	Vanasse
Krauz	White (Cardwell)
Landry	White (North Renfrew)
	Wiser.—69

NAYS :  
Messieurs

Allison	LaRue
Anglin	Laurier
Arkell	Longley
Bannerman	McDonald (Victoria, N. S.)
Beauchesne	Macdonell (N. Lanark)
Béchar	Mackenzie
Bergin	McCallum
Bill	McCarthy
Blake	McCuaig
Boultee	McKay
Brown	McLennan
Bunster	

Mr. BOULTBEE.

Burpee (St. John)	McQuade
Burpee (Suabury)	Malouin
Cameron (South Huron)	Merner
Cameron (N. Victoria, O.)	Mills
Cartwright	Muttart
Casey	Oliver
Cimon	Oliver
Cockburn (Muskoka)	Paterson (South Brant)
Coupal	Pickard
Dumont	Robertson (Shelburne)
Elliott	Robinson
Farrow	Rogers
Fleming	Ross (West Middlesex)
Geoffrion	Rymal
Gunn	Scriver
Guthrie	Sproule
Hackett	Stephenson
Hay	Tassé
Heason	Thompson (Haldimand)
Hilliard	Trow
Holton	Wallace (S. Norfolk)
Huntington	Wallace (West York)
Keeler	Weldon
King	White (E. Hastings)—71

Question resolved in the negative.

House adjourned at

Twenty minutes before

Eleven o'clock.

HOUSE OF COMMONS.

Thursday, 26th February, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS—RECEPTION.

TIME EXTENDED.

MR. ROBINSON moved that the time for receiving Private Bills be extended ten days.

MR. HOLTON : Does not that require the concurrence of another Committee ?

MR. SPEAKER : Yes ; according to the Rules.

MR. HOLTON : I believe it would require the recommendation of one of the other Committees.

MR. ROBINSON : The Clerk assured me that this is the practice of the House.

MR. SPEAKER : The Rule says :

“ Except in cases of urgent and pressing necessity, no motion for the suspension or modification of any rule applying to Private Bills or petitions for Private Bills, shall be entertained by the House until after reference is made to the several Standing Committees charged with the consideration of Private Bills, and a report made thereon by one or more of such Committees.”

MR. HOLTON: That is, one Committee in addition to the Standing Orders Committee. I do not wish to press this. I merely desire to call attention to the fact that we are again extending the time, and practically ignoring the rule adopted a few years ago by a Committee of the House, of which the leader of the House was a member—a rule providing that all Private Bills should be introduced within the first ten days of the Session. The extension the other day was necessary, but I think now we ought to understand whether we should ignore—in effect repeal—this rule, and fall back into the practice of extending the time to the end of the Session, or whether the rules are to be observed. I do not wish it to be understood that I object to the motion of the hon. member for West Toronto (Mr. Robinson), but we seem to be drifting into the old practice which obtained before the adoption of the rule made with so much care some three years ago. I have no objection to the motion going to-day, but ten days hence I may invoke the rule.

MR. LANGEVIN: The extension has been made with regard to the receiving of petitions, and, therefore, it should extend to the receiving of Bills.

MR. HOLTON: I thought this was the second extension. I thought this was the same motion as was made the other day.

MR. ROBINSON: It is not the second extension.

Motion agreed to.

#### BILLS INTRODUCED.

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

Bill (No. 31) To incorporate the St. Clair and Lake Erie Navigation Company.—(Mr. Stephenson.)

Bill (No. 32) Respecting the Montreal Assurance Company.—(Mr. Girouard, Jacques Cartier.)

Bill (No. 33) To amend and consolidate the Act incorporating the Dominion Grange of the Patrons of Husbandry of Canada.—(Mr. McCullum.)

Bill (No. 34) To incorporate the Farmers and Real Property Bank of Canada.—(Mr. Cameron, North Victoria.)

Bill (No. 35) Respecting the Niagara Grand Island Bridge Company.—(Mr. McCarthy.)

Bill (No. 36) To authorise the Corporation of Emerson, in the Province of Manitoba, to construct a Free Traffic Bridge across the River at Emerson.—(Mr. Royal.)

Bill (No. 38) To amend the Act respecting Procedure in Criminal Cases, and other matters relating to Criminal Law.—(Mr. McCarthy.)

#### PARLIAMENTARY PRINTING CONTRACT.

##### INSTRUCTION TO ENQUIRE.

SIR JOHN A. MACDONALD moved:

That the Select Standing Committee of this House on the Printing be instructed to urge on the Joint Committee of both Houses on that subject, the necessity of making rigid enquiry into all the circumstances connected with the opening of tenders for the Parliamentary Printing, and the withdrawal of any tenders; and, also, with the award of the contract for such Printing, made during last Session.

MR. BLAKE: When I made the enquiries, sometime ago, the hon. gentleman stated that the Government was about to urge upon the Committee, not merely to make the enquiries, which, I presume, are intended to be of an extensive character, and not be confined to the formal words of this motion, but, also, to urge upon it to consider and report to the House what steps would be necessary to prevent a repetition of those practices.

SIR JOHN A. MACDONALD: No, the developments.

MR. BLAKE: Yes.

SIR JOHN A. MACDONALD: I beg to move, in amendment, that the following words be added to the motion:—

With instructions also to enquire and report on the best means of preventing any irregular or improper practices, with respect to the granting of such contracts.

Motion, as amended, agreed to.

#### SUPREME AND EXCHEQUER COURTS ACT AMENDMENT BILL.

(Mr. McCarthy.)

##### FIRST READING.

MR. MCCARTHY introduced a Bill (No. 37) Further to amend the Supreme and Exchequer Court Act. He said: The Bill has but three sections in it, and is for the purpose of giving to the Supreme Court the power of amendment which it does not possess now. At present, if there happens to be, in the judgment of that Court, any error in the proceedings, they must necessarily be quashed; whereas, if they had the power of amendment, they might amend, as is done now in the Ontario Court of Appeal, which would further the ends of justice, and prevent the necessity of the whole case being recommenced in the lower courts. It further provides that if, in the, judgment of that

Court, it be thought advisable that evidence be taken—any hon. and learned friends from Ontario will understand me when I say that it is just proposing to give the power to the Supreme Court which the Court of Appeal in Ontario now possess—the Court may take such evidence. There have already been two cases, one certainly, where the whole proceedings had to be commenced *de novo*, because the Supreme Court had not this power to amend.

*Bill read the first time.*

PRINCE EDWARD ISLAND—BREAKWATER AT BAY FORTUNE.

QUESTION.

MR. MUTTART enquired, Whether, in compliance with a petition, presented last Session, it is the intention of the Government to construct a breakwater at Bay Fortune, in Prince Edward Island.

MR. LANGEVIN : That petition has been received, asking for the building of a breakwater at Fortune Bay, in Prince Edward Island, but the Department of Public Works has not as yet obtained the information required to enable it to decide whether the breakwater should be built there or not. The intention is to have an examination made next season.

PRINCE EDWARD ISLAND—WORKS AT SOURIS.

QUESTION.

MR. MACDONALD (King's, P.E.I.) enquired, Whether it is the intention of the Government to rebuild the breastwork on the east side of Souris River, and construct the breakwater at Lobster Point, Souris West, Prince Edward Island.

MR. LANGEVIN : There has been a breakwater undertaken on the other side of the bay, and that is not yet completed. The breakwater mentioned in this question would be at about 4,000 feet from the first, but on the other side of the bay. It would cost a very large sum of money, and the Government is not in a position to promise to undertake the work. To build the breastworks on the same side of the bay would cost \$20,000, and the Government do not see their way, just now, to undertake such a work.

PROHIBITION OF THE LANDING OF EMIGRANTS.

MOTION FOR ORDER IN COUNCIL.

House resumed the further consideration of Mr. Fleming's proposed motion for an Address

MR. MCCARTHY.

for a copy of the Order in Council prohibiting the landing of emigrants at the port of Halifax who are not possessed of the sum of twenty dollars.

*Motion agreed to.*

SUPREME AND EXCHEQUER COURTS ACTS REPEAL BILL.—[BILL 13.]

(Mr. Keeler.)

SECOND READING PROPOSED.

Order for second reading read.

MR. KEELER : About this time last year, I introduced a Bill for the repeal of the Supreme and Exchequer Court Act of Canada. I met, on that occasion, with the determined opposition of hon. gentlemen on the other side of the House, of course, and it was attempted to prevent my Bill going to the second reading on that occasion. After the discussion on the matter, however, I was granted the courtesy of a second reading, although at the end of the Session, it was slaughtered with other innocents. Some of the members on this side of the House, among others the hon. the Minister of Justice, saw fit to accuse me of endeavouring to waste uselessly the time of the House. I beg now, however, to assure that hon. gentleman, that I did not intend to take up any of the valuable time of this House for the mere purpose of amusement. I never have done that, and never intend to do it. I brought up that measure, on the last occasion, with the sincere desire to promote economy and retrenchment in this country. I believe that great necessity for retrenchment exists in every Department, and, if any hon. gentleman sees any way by which economy can be exercised, it is his duty to endeavour to secure economy in that particular. I believe, myself, that we are expending a large amount of money every year unnecessarily. Anyone who goes through the annual Estimates, must be convinced that there are a great number of items which might well be dispensed with, and an immense amount of money might be saved in this Dominion, each year, if we were all disposed to endeavour heartily to cut down useless and unnecessary expenditures. My constituents, of course, sent me here to represent their views. In doing so, I think it is my duty—I think I am only doing a small portion of my duty—at the same time, to endeavour, in my humble way, to pro-

mote economy. I think this Supreme Court was established, in the first place, without any public opinion in its favour. It seems to me that it is quite soon enough for any Government in this Dominion to undertake so very expensive an affair as the Supreme Court, when it is evident that there is some desire on the part of the public for such a course. I fail to discover that there was any demand, from any quarter of the Dominion, in favour of this Court being established at the time it was. I cannot say that I have ever seen, anywhere, either in print or otherwise, any opinion in favour of the establishment of that Court. I do not think it was established in obedience to public opinion. I stated, on the last occasion, that I thought it had been established for the purpose of affording a refuge for political supporters of the late Administration. Perhaps I said it without sufficient reason. If I did, I am sorry for it; still, I only expressed the general opinion prevailing in my part of the country. It looked very much as if comfortable berths had been established, at high salaries, for the friends of the late Administration. I hope, however, that they did not establish the Court for that purpose. I did not say they did; however, I say that that was the opinion of the country. The next objection I urged, on the last occasion, was that this Court was accessible only to the rich. I do not think anyone can say that the poor man is anxious of obtaining justice inside of that Court. The costs are so immense, that I do think the poor man would soon find that there was no chance for him, if once he took his case into that Court. It has been charged against me that hon. gentlemen on this side of the House have instructed me to move on the subject. I introduced this measure simply because I believed I had a right, as a humble representative of the people in this House, to ask for anything that I thought in the interests of the country. On that occasion, I thought it was my duty to take the sense of the House on that measure, and the large vote on the first reading which the measure then secured flatters me that I may receive the same number in favour of the second reading, on this occasion. I know well, of course, that many hon. gentlemen voted on that occasion, because they thought the

Bill would never pass to the next stage. I hope that, on this occasion, I may receive the votes of all hon. gentlemen who really have the good of the country at heart. I do not wish this to be regarded as a class measure, and that, because some of the members here are lawyers, and others are laymen, it should be regarded as an attack upon the former class. Before this Court was established, we did very well without it. I can find nothing to show that we are better off now than we were before. I believe that the Court, so far as its proceedings are understood, in the country, is very unpopular. In the Province of Quebec, in particular, I believe this Court is extremely unpopular. From the conversation I have had with gentlemen from that Province, they consider it an invasion of the rights secured to the Province of Quebec; and, I believe, that in the other Provinces, it is looked upon much in the same way, and as a useless expense, that we might very well do without. On the last occasion, a great many remarks were made on both sides of the House, that I believe I may properly take a little notice of. The hon. member for Chateauguay (Mr. Holton) for whom I have the very highest personal respect, I think, said in his remarks, that it was very demoralising to the Court itself to have such a motion brought up. My ideas may be wrong, but I cannot see where there can be any demoralisation from this matter being investigated. It seems to me that, if there are any institutions in the Dominion that cannot bear scrutiny of the closest character, there must be something wrong about them, and it is quite time that such should be investigated. There are many other hon. members, also, who lashed me severely for what I have said. One hon. gentleman said we might as well abolish this Parliament as the Supreme Court. Probably that hon. gentleman can see further than I can, but I can see no connection between abolishing that Court and abolishing this Parliament. Another hon. gentleman, I think it was the hon. gentleman from Shefford (Mr. Huntington), said that I was opposed to this Court because the late Government had established it. I beg to assure that hon. gentleman, and this House, that I had not the remotest idea of the sort. I was aware, all the while, of course, that my hon.

friend was in favour of that Court. Seeing no necessity for this Court, I think that my right hon. friend the leader of the Government, would not, except for the settlement of the constitutional question, have favoured its establishment. I think this High Court of Parliament is quite sufficient for all purposes, without the Supreme Court. As to the history of the Court, and its decisions, I do not believe it has rendered any decisions that command the respect of the Provinces at large. I will only refer to one case in support of this view—that of *Berlinguet et al. versus the Queen*. It is said that the costs of the suppliants were \$35,000, and the costs of the Government were \$16,000, which had also to be paid, making a total of \$51,000, for the trial of a simple case. There is no reason for a Court so expensive. With reference to the cases of railway contractors, I believe they would be more honestly and righteously settled by arbitration. I believe that one such has been referred to Mr. Shanly or Mr. Keefer, as sole arbitrator—*Murray versus the Queen*—and that judgment has been rendered for \$100,000 against the Government. I have not the slightest doubt that that case was much more honestly and righteously judged, and more correctly, too, than it could have been by gentlemen simply learned in the law, and not civil engineers. I believe that all cases of breach of contract would have been much better settled by arbitration. I have no feeling in the matter, but raise this question in the interest of the country. If we are to prosper, we should all put our shoulders to the wheel, and economise in every possible way. If we have a useless Court, we ought to abolish it, putting our prejudices aside, in the interest of the country, and to further its advancement. It seems to be the disposition of legal gentlemen in the House to introduce measures for the establishment of too many Courts, while we have several we could do without. This tendency to legislation increasing our expenses should be repressed. My Bill being passed would save the country, I believe, about \$60,000 a year. On calling upon the Government for the construction of certain most necessary public works, such as the Murray Canal, which would benefit the country, the answer has been—we cannot spare the funds. The saving

practicable by the abolition of this Court would permit of the construction of works of more consequence to the country than such Courts. I have taken from the Public Accounts the figures for Administration of Justice for the period since 1872, and find the increase something astonishing. In 1872, it was \$318,259; in 1873, \$398,966; in 1874, \$459,037; in 1875, \$497,405; in 1876, \$544,091; in 1877, \$565,597; in 1878, \$564,920; and in 1879, \$577,896, besides the amounts spent by the Provincial Governments for the Administration of Justice. I have not the amount for each Province, but, in the Estimates for Ontario for this year, I find \$287,000. These figures are quite enough to set us all thinking, at any rate. The cost of justice, in a country of only four millions, is altogether disproportionate. As to the actual expenses of this Supreme Court, I had a return sent down last year giving them up to 1879, and, adding the same amount for the current year as last, I make the total cost of this useless, but expensive luxury, to be \$243,927. In addition, the cost of fitting up Chambers, etc., would not amount to less than \$10,000, making a total of over a quarter of a million of dollars thrown away, or wasted, in this useless Court, for four and a half years. So far as the Dominion is concerned, I think there is only a small party that has any interest in the continuance of the existence of this Court. It is said that over \$250,000 per annum are spent in Ottawa by suitors, witnesses and others, brought here in connection with cases in this Court, and suppose, therefore, the people who are benefitted so much may think it a good thing. And I heard it stated the hon. the Minister of Public Works had been appealed to with regard to erecting buildings for the Supreme Court, but I sincerely hope that not another penny will be expended in Ottawa or elsewhere on this piece of folly. I endeavoured to get returns of the number of cases tried, and the cost of each, but they have not come down. Perhaps the hon. the Minister of Justice can tell us when they will be produced. I conclude by moving the second reading of the Bill.

MR. McDONALD (Pictou): I wish, personally, to express my regret that, on the introduction of this Bill last Session, I made use of an observation which ap-

pears to have given offence to my hon. friend the mover of this measure. I regret extremely that I should have, even unintentionally, given cause of offence to a gentleman for whom I entertain both personally and politically, so high respect. I assure him that the observation was made under the impression that a gentleman of the experience and high intelligence of my hon. friend would not have hastily attempted to disturb so essential a feature of our Constitution as the Supreme Court by proposing its abolition. However, I am quite sure he will accept this expression of regret at having unintentionally used any words at which he could reasonably take umbrage. I am also glad to observe that, in moving his Bill to-day, my hon. friend has not given expression to his dissatisfaction with this Court in language quite so strong as he thought it his duty to make use of last Session. I think it a great pity—I am obliged to say, now, it is to be regretted extremely—that my hon. friend should think it his duty, even by the introduction of this Bill, to cause any discussion with reference to the stability of so important an institution, and with regard to the position it occupies in the public mind of this country. I need not tell him, or the House, that the most essential characteristic of a Court, and more particularly, of a great Court like the Supreme Court of the Dominion, is that it should rest firmly and securely in the confidence of the people; and, if that, or any other Court, fails, after due experiment and trial, to obtain that confidence, then, of course, we should come to the conclusion that its usefulness was gone, and, therefore, that a Bill like that of my hon. friend should be the legitimate result of that conviction in the public mind. But I entirely dissent from his view, which, I hear, is entertained by many of my hon. friends on both sides of the House, with reference to that Court. In the first place, it was one of the requirements of the Constitution under which the several Provinces were united into this Dominion. It was an obligation which the Parliament owed to the smaller Provinces, that surrendered their own rights, to some extent, and their control over their Judiciary. It was an obligation made incumbent on the Dominion Parliament, to those Provinces, to establish that General Court of Appeal, and

was an obligation Parliament was bound to fulfil. It was, also, an obligation paramountly pressing on Parliament to provide a Court, which, irrespective entirely of Courts more particularly concerned with Provincial interests and leanings, should have power to give effect and executive force to the laws of Canada. So, that, on every ground, whether of obligation or of convenience, for the interests and rights of the people of Canada, the establishment of this Court was desirable if not essential. Its continuance is essential, as I think, to the interests and welfare of this people. Therefore, on that ground, I shall have to differ strongly with my hon. friend the mover of this Bill. I go further, and say that the *personnel* of the Court, and the character of its decisions since its creation, have not been such as to warrant the aspersions we sometimes hear with regard to it. Of course, it would be very improper for me to refer, even incidentally, to the *personnel* of the Court. I do not desire to do so; but, in view of the discussions that have taken place in this House, and, partially outside, I may be permitted to say, that even in that respect the Court appears to me to challenge the confidence of the people of this country. In that Court sit to-day, Judges who, when they were elevated to the Bench of the Supreme Court, had for a long period of years, performed high judicial functions in the several Provinces from which they were called, and, of the six Judges now in that Court, two only have not been Judges in their respective Provinces before their appointment. These gentlemen not only sat as Judges in their several Provinces, but, I am informed, acquired in an eminent degree, in their respective Provinces, the confidence of their profession and of the public; therefore, it does appear to me, that the learning and capacity of these eminent Judges is not to be lightly challenged in this House. In reference to one gentleman, who occupies the highest seat in that Court, he was selected to fill a seat on the Bench by a gentleman so eminent in his profession as the hon. member for West Durham (Mr. Blake), and, when the vacancy of Chief Justice occurred, the wisdom of the selection of my hon. friend opposite was endorsed by my right hon. friend the leader of the Government elevating that gentleman to the highest seat in that Court. Therefore, as

far as the selection of the Judges of the Court is concerned, it is not open to the strictures we sometimes hear inside and outside of this House. But I go further; I think, without at all pressing my argument beyond the ground of fair consideration of that Court as a public body, I may say that, under all the difficulties which are naturally incident to the formation of any new Court, and which difficulties are very greatly enhanced in this particular instance, that Court has performed its functions, and has discharged its duty, in a manner which, at any rate, entitles it to the fair consideration of the country. It must be remembered that this Court was created to review the decisions of Courts of long standing in the several Provinces—Courts eminent for the character of their Judges, distinguished for the character of the men practising before those Judges, and, therefore, naturally sensitive and jealous as to the decisions of the Court appointed to review their judgments. My hon. friend says that in the Province of Quebec the Court is unpopular. Now, I regret that extremely, but I quite understand that it arises from causes entirely beyond our control. Perhaps it is a natural feeling that the members of the Bar from that Province, should not entertain so strong a feeling of confidence in the decisions of this Court, on questions of law arising under a system of jurisprudence different from that of the other Provinces, and in which they are only represented by two Judges. I cannot appreciate the objection, because I think two able lawyers, sitting as Judges on that Bench, would completely and fully meet all requirements, and protect, in every particular, the rights and interests of litigants and suitors coming from that Province. But, so far as other Provinces are concerned, this particular ground of complaint cannot prevail. I can speak for my own Province, and, I think, for the adjoining Provinces of the lower part of the Dominion. I think that I can say that the Bar and the people of these Provinces, as well, I think, as the Bench—and every Judge who appreciates the responsibilities of his position is always pleased to know that any unintentional or accidental error may be rectified by an appeal from his judgment—I say

the Bench and the Bar, as well as the people of the Lower Provinces, would consider it a great calamity, were they deprived of the right of appeal to this Court. My hon. friend says the Court is expensive. I do not think that, taking into consideration the mode of procedure, and the necessity for having before the Court the fullest possible information, the expense can be called large. I think, so far as my limited experience is concerned, that it is the cheapest Court of Appeal that we can hope for in the Dominion—certainly, less expensive than an appeal to the Privy Council, the only Court of Appeal we had in the Lower Provinces before the establishment of this Court. As I pass along, I may refer to the case mentioned by my hon. friend which came from Quebec. I do not know what the expenses of that case were, but, at any rate, the expenses must have been those incidental to the trial of the cause. Where the Judge sat for a great length of time, and where a great number of witnesses were examined, I can easily understand that a large amount of costs were incurred; but the question of costs is a matter of detail, for which, by rule of Court or by amendments to the Act, an easy remedy can be found. That, however, does not touch, in the slightest degree, the main question, as to whether the Court has so far performed its functions, perhaps with the highest degree of perfection, perhaps they have made mistakes, perhaps there are reasons for some little discontent, but, in my experience of a good many years, I never knew of a Court that satisfied everybody who appeared before it as either suitor or counsel. Somebody must lose and be disappointed; somebody must be mistaken, but I am quite sure there is not a lawyer from the Province of Ontario that, taking into consideration the requirements of this Court, as a Dominion Court, and the necessity which arises, sometimes, for referring to it great questions, which cannot in any other way be aptly and opportunely settled—I do not believe there is a lawyer or layman from that Province, or from the Province of Quebec, that would like to lay his hand on the Court hastily or recklessly and destroy an institution which, in the opinion of a great many people, is essential in the interests of the country.

I state, Sir, that, in my opinion, it has not only performed material service to the country, but, in every way, it is essential to retain the services of that Court. I may, in this regard, refer to the question of the Election Law. The construction of the Statutes relating to contested elections, was, we all know, as various as the several Provincial Courts before whom the question arose throughout the Dominion. By the appeal to the Supreme Court, one uniform rule of construction was obtained, and by the judgment of that Court, the decisions of some of the Provincial Courts were not sustained. Of course there was a good deal of dissatisfaction, so great, indeed, in one Province, that an appeal was taken from the judgment of this Court to the Privy Council. I was very glad, indeed, to hear it, because it is most desirable that every opportunity should be granted with reference to this High Court that may tend to illustrate to the people the fact that we have men on the Bench whose judicial ability is unquestionable. In the case I refer to, the question was raised in the only way in which it could be done, by application to the Privy Council for leave to appeal. The result was that the Privy Council, on a full, though *ex parte* argument, sustained the decision of the Supreme Court of Canada as sound law. That is a certificate of the highest character, and of much consequence in this discussion. I have just one more observation to make. Questions are constantly arising under our Constitution, and in connection with the administration of affairs between the Dominion and the Provinces, that are referred most conveniently, as they ought to be, to the decision of this Court. It does appear to me that, upon that ground alone—the keeping of the machinery of Government running, as between the Dominion and the respective Provinces—it would be very ill-advised to lay unholy hands upon this institution. I trust, therefore, the House will not read the Bill of my hon. friend a second time, and that the vote may be of such a decisive character as to assure the people of this country, at any rate so far as this House is concerned, that the Supreme Court deserves the confidence of the country.

SIR JOHN A. MACDONALD: After what has been said by the hon. the Min-

ister of Justice, I do not intend to occupy the time of the House upon the principles of the Bill. I agree with my hon. friend in his opposition to the abolition of the Court. I think it is a retrograde step. I think it is going back very considerably in our onward progress, and I should be sorry to see that step taken. I must admit that I do not think there is any advantage to be gained in shutting our eyes to the fact that the Court, by some accident or misfortune, has not obtained that confidence which such a tribunal ought to have succeeded in obtaining. What may be the causes of this it is bootless just now to discuss. But it is a new Court—a Court established early in our history as a Dominion. I do not say that it was established so early as a similar Court was established in the United States, when they were severed from Great Britain; but still, it was established very early in our history. I have no doubt that, as the Court grows older, the people of the country will become more accustomed to consider it as one of the tribunals of which they should be proud, and of which they would not willingly be deprived. The hon. gentleman has expressed himself very strongly on the question of expense. The expense of the maintenance of the Court is principally made up, I suppose, by the salaries of the Judges and officers, and the cost of the maintenance of the Court itself, and the building in which they meet. The costs of the suitors in litigation is a different affair. I fancy, if the Supreme Court were abolished, that the number of suits appealed would still be the same, but they would go to England instead of being brought before the Supreme Court here. As regards the salaries of the Judges, there would be no immediate saving if the Bill were passed and the Court abolished to-morrow. The abolition of the Court will not deprive the Judges of the vested right they have possessed from the moment they received their commissions. They must either draw their full salaries or receive full compensation by the capitalisation of their salaries at once. But, that some dissatisfaction exists, I cannot ignore, and I am aware that the greatest amount of dissatisfaction arises from the Province of Quebec. That is easily to be understood, when you consider that the Courts in the Province of Quebec are composed of



Judges learned in the special law of Lower Canada, and specially fitted to adjudicate on all questions under that law; and the feeling is that they have more confidence in the judgments of the ordinary Superior Courts than in the Court of Appeal from the judgments of these Courts. The Court here is principally composed of Judges who have been educated under the system based on the laws of England, and the majority of these Judges are not specially trained in the system of law which forms the basis of Lower Canada jurisprudence. Of the six Judges, only two are from Lower Canada. We do not know what mode is adopted by the Judges among themselves, in discussing their judgments, or in what mode they approach the examination of the cases submitted to them, but it is alleged that the Judges, coming from the other Provinces, leave very much to the two Judges coming from Quebec the appeals from that Province. Hence, it is argued, that to these two Judges is left substantially the decision of the cases from Quebec. It is felt that the decisions of the Courts below have greater weight than the opinion of the two Judges, who may reverse the judgment of the Courts below. The consideration of this difficulty is not a new one to any member of the last Parliament, or of this Parliament. The difficulties connected with establishing a Court satisfactory to the Province of Quebec was one of the great reasons that made me hesitate so long in presenting a measure for the establishment of the Supreme Court, which I twice submitted to the Parliament of Canada, and that hesitation induced me to postpone pressing the measure while I held the office of Minister of Justice. But we now have it, and, I think, we ought to try to make the best of it as a Dominion Court. We have given it very considerable powers as a Court of Exchequer, and very large powers as a Court of Appeal. My hon. friend who introduced the Bill must have misapprehended some remark of mine, when he understood that I had said that this was not a Court fitted to settle constitutional questions. I certainly did not mean to convey that impression in any opinion I may have enunciated. It is a Court calculated to decide all questions within its jurisdiction

coming before it, whether it may be in regard to the construction of the Constitution, as to what the Constitution is, or in regard to any other matter arising out of constitutional questions. I may have said in some discussion, though I do not remember having done so, that a summary reference, at the instance of the Crown, of any particular question would have weight as a judicial decision. I may have said something of that kind. 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 to remove the objections, and into the best means of making the Court, in every sense, efficient and satisfactory. If the House will be satisfied with a statement of this kind, and will not wipe out of existence this Court, I think the country will be satisfied, and that this Parliament will be able to remove the objections which have taken possession of the public mind, and make it a satisfactory and efficiently working Court.

MR. KAULBACH: With all due deference to the remarks of our right hon. friend the leader of the Government, in opposition to the Bill now before the House, for the repeal of the Supreme and Exchequer Courts Act, I feel bound, in justice to the county and Province I have the honour to represent, to support my

hon. friend from East Northumberland (Mr. Keeler) and endorse the sentiments by him expressed. I feel that there was no necessity for the late Administration establishing a Court of this description; that it would have been prudence and economy on their part, had the creation of this Court been deferred till a time when the country was in a better position to meet the expenditure. We are living in an age of economy, and have a right to exercise prudence, economy and discretion in every possible way. The cost to this country, at present, for the Administration of Justice, is enormous, and is increasing every year, as will appear by the figures in detail, advanced by our hon. friend the mover of this Bill, except for the year ending June, 1878, and then it was, as our hon. friend stated, \$51,277, which was not their fault that it was less, but was owing to a casualty by death of one of the Judges, who did not receive his full year's salary, and the vacancy for a time not having been filled up. I feel satisfied, Mr. Speaker, that the late Administration did wrong in creating this Court, and now is the time to redress the error by a repeal of the Act. I feel it is a luxury we can very well dispense with, and thus save so much to the country. Our hon. friend the Minister of Justice congratulated the country on our having this Court of Appeal, but, Mr. Speaker, I have a stronger, and, I consider, a better cause for congratulation, and that is, that we have a higher Court of Appeal, without a superior in the world, which costs the country nothing, and why should we not enjoy it, if need be. We have in the Province from whence I come, and have the honour to represent, seven Judges, men of ability, of deep research, and well able to cope with the knotty questions of the day, and why should we have, I ask, this useless appendage, when we can so readily dispense with it entirely? My objection is that we have too many Courts. When, perchance, a poor suitor is driven, by an unscrupulous opponent, to the Court of Queen's Bench, in any of the Provinces, and an appeal is made to this Appeal Court of Canada, is it final? No, he has the chance of still being driven by another appeal to the Judicial Committee of the Privy Council in England, so that, if the suitor wins the suit, he is ruined in the process by the

enormous costs of merciless attorneys. In my opinion, the remedy is worse than the disease. Considering this Court, therefore, injurious as well as useless, and expensive to the Dominion, I have much pleasure in supporting this Bill for a repeal of the Act.

MR. CAMERON (South Huron): I was very glad to hear the speech of the hon. the Minister of Justice on the proposal of the hon. member for East Northumberland. I was glad to hear his observations, last year, and still better pleased to hear them this Session, because the tone and manner were quite unexceptionable. There were no attacks on either the merit or constitution of the Court. I believe, of all the hon. gentlemen, on the other side of the House, who addressed the House on this subject, he was the only gentleman who addressed it in a fair and proper spirit, and the only one who did not take occasion, when the question was before the House, last Session, to attack, in a violent manner, the constitution of this Court. I am glad to find that, the hon. the Minister of Justice has discharged his duty, as in fact it was his duty to do as the leader of the profession in the Dominion, of upholding, as far as possible, the constitution and the usefulness of the Supreme Court of Canada. I am not quite sure but that the manner in which he treated the question last Session was the most effective, both in the House and in the country. On that occasion, the hon. gentleman treated the proposition to repeal the Act creating a Supreme Court as a huge practical joke on the part of the mover of this Bill, and especially so, in view of the fact that the Court has only been in existence three or four years. If the confidence of litigants and the people of the country in the decisions of the Supreme Court, and in its usefulness as our highest Appellate Court in the Dominion is to be established, clearly, the best way to deal with such propositions as that now before the House, is the course pursued by the hon. gentleman on a former occasion, rather than in a grave and argumentative way. No man can naturally desire, at this period of our history, to lay violent hands on a Court calculated to be of essential service to the country. The mover of the present Bill, so far as I could hear his observations

and understand his propositions, for his voice was very indistinct on this side of the House, based his proposition for the repeal of the Act upon the ground of the extreme expensiveness of the Supreme Court; and, in order to support his proposition, he quoted a case, in which the expenses were \$6,000 on one side, and some \$16,000 on the other side, and referred to one or two other cases where the costs appeared to him to be high. From what I know of the case to which I believe the hon. gentleman refers, I am satisfied that the Supreme Court saved the country, in that case alone, over a million dollars. Before the establishment of the Supreme Court, such a case would necessarily have been disposed of before the Dominion Arbitrators. I am not going to say anything now of these Arbitrators or of their honesty and integrity. For all I know, they may be able and competent enough to decide many questions, and the ordinary class of cases that come before them, involving questions of account and questions of fact but, I think the Judges of the Supreme Court much more competent to decide cases in which many complicated and important legal questions necessarily arise. We all know, as a matter of fact that, in nearly all cases that came before these Arbitrators in days gone by, damages were awarded against the Crown. On the other hand, since the creation of this Court, in cases in which the interests of the Dominion were involved and determined by the Exchequer Court—in nearly every case—the judgment of the Court has been pronounced in favour of the Dominion Government, and, in this respect alone, I believe the Court has saved to the country one hundred times as much as the cost of supporting and maintaining this Court. For that reason alone, therefore, and that is the lowest ground on which the mover's proposition may be resisted, it would be unwise and injudicious to repeal the Supreme and Exchequer Court Act. The hon. the Minister of Justice stated that the usefulness of a Court like this largely depended upon the confidence reposed in it by suitors and the public, and to that proposition I readily assent. His leader, who sits before him, laid down a proposition to which I am not prepared to assent—that there was a general feeling of discontent and dis-

satisfaction in the public mind in regard to the Supreme Court. I have not heard anything of that kind out of the precincts of this Chamber, but I have heard it over and over again here, and that from the hon. gentleman's hon. friends and supporters. If dissatisfaction and a want of confidence does prevail, the hon. gentleman and his friends are alone responsible for that feeling, and then, singularly enough, the hon. gentleman wishes to know why such discontent prevailed throughout the length and breadth of the country with respect to the working and usefulness of the Supreme Court. I think the hon. gentleman's curiosity and enquiry can readily be answered, and that with very little difficulty. If the hon. gentleman will only carry his memory back to what took place in this Chamber one year ago, when discussing a similar question to that now before the House, and analyse the speeches then made by several members of the Government on the subject, he will find a cogent and sufficient answer to the enquiry he has suggested, namely, why there should be dissatisfaction with the Supreme Court so very soon after its creation. When this question was under discussion last year, one member after another on the other side of the House, and on the other side alone, in clear, distinct, and unmistakable language pronounced against the usefulness, as well as the constitution of this Court. And yet the hon. gentleman wants to know why there is discontent, and why the Court is unpopular in the country. If the hon. gentleman's supporters will rise in their place from day to day, whenever this question is before the House, without any justification, and declare the Court useless, its judgment unsatisfactory, and its constitution defective, is it any wonder that, to some extent, throughout the length and breadth of the country, there should be a feeling of discontent with that Court. The only wonder is that the Court has stood the test of these continual and reiterated attacks so well, and that to-day, it is as popular as it undoubtedly is. If hon. gentlemen will persist in this wholesale system of attack against the constitution and *personnel* of the Court, there will certainly be a feeling of uneasiness in the country with respect to it. The people, to a large

extent, draw their inspirations from the proceedings in Parliament, and, when the voice of the people's representatives is decidedly antagonistic to any institution, that voice will be echoed in the country. If hon. gentlemen desire to make the Court popular in the country, they must cease attacking it in the House. To my mind, it is the most unpatriotic course hon. gentlemen can take—abusing and belittling this Court. It is only four or five years since this Court was established, but, so far as it has been tried, it has given general satisfaction. Of course, everyone is not satisfied with the Court or its judgments; it would be a miracle if they were. People who are engaged in litigation, and who lose their suit, will be dissatisfied. Both litigants cannot succeed, and the loser is sure to put the blame somewhere, and that somewhere is never the weakness of his own case; he is sure to attribute the loss to some blunder or mistake, and, as the lawyers never blunder, of course the blame is shifted to the shoulders of the Judges, or to the incompetency and inefficiency of the Court. I believe the alleged dissatisfaction is confined to this class, and this alone. I regret the tone of the discussions last year. I regret that there should be any discussion of the kind to which I have referred this Session. It will accomplish nothing, and serve no good purpose. It will only tend to create dissatisfaction and promote discontent. Still, I have no doubt the Court and its Judges will stand any amount of discussion, and any fair and honest criticism. The Supreme Court Act may require amendment in matters of detail; that is to be expected in creating a new Court, with new powers and new jurisdictions; but the ground on which the Court was established is wholly unassailable, and, the sooner the gentlemen opposite cease assailing this Court, the better for the Court and the better for the country. I deny that the Court is not serving the purpose for which it was created. I deny that it is unpopular, or that its constitution is substantially defective; and I say that, in the necessary details, the people and the profession are a unit in favour of the Court.

MR. PLUMB: As this Bill has been introduced by a layman, and as many of the members of this House, also lay-

men, must judge of it, and vote upon it, if it comes to a vote, it is quite in order for one who is not a lawyer to speak on the subject. As a non-professional, I approach it with some diffidence. It will be unwise, I think, to adopt the Bill introduced. It was contemplated by the promoters of Confederation, that there should be a Supreme Court to adjust differences that might arise between the Provinces united in Confederation. It was felt that questions of that kind would arise, and such questions have arisen, requiring to be adjudicated upon somewhere, either within our own Dominion or in England. It has been said that the Court has not fulfilled the expectations of the country. That may or may not be. We have had an earnest appeal in its favour from a gentleman on the other side, who has just sat down, the member for Centre Huron (Mr. Cameron), and who exhibited a strong party feeling, as is usual with him whenever he discusses any question; but I do not think such argument as he has used will have any weight in leading to a discussion of this important question. I believe that, in a matter like this, much deference should be given to the deliberate opinion, clearly and forcibly expressed by the right hon. the leader of the Government, who, considering his connection with the passing of the Confederation Act, is more competent probably than any other gentleman on the floor of this House to advise and instruct its members. I would prefer to follow his advice on such a matter as this, whether I were supporting or in opposition to him, politically, rather than to follow the lead of those who, however entitled to respect and consideration, cannot be nearly so well qualified to advise upon it. I have listened attentively to the arguments, *pro* and *con*. There are, certainly, reasons for dissatisfaction with the working of the Court; but, as has been fairly urged, it is a new Court; it is not in three or five years that we can judge of the proper working of a Court like this. We must not come to a hasty conclusion adverse to it, and, although there may be reason for criticism, I wish to say that I feel the utmost respect for the gentlemen sitting on that Bench, and they ought to receive the utmost consideration from the people of Canada. I do not think it is desirable, under any

circumstances, except those of the very gravest character, to bring up for discussion the personal or the official acts of our Judiciary; one that, I am proud to say, for learning, ability, dignity, and purity, may challenge comparison with any in the world. Having heard all the arguments, *pro* and *con*, I feel entirely confident that the honour of the right hon. the Premier will be sustained by a vast majority of this House on both sides, for it is not, and cannot be, a party question. If I were in any doubt—and I am not—I would deem it safe to defer my judgment to his, as I would in all cases except where strong personal convictions might compel me to differ with him. I trust my hon. friend from East Northumberland (Mr. Keeler), whose sincerity and earnestness in moving this Bill entitles him to the highest consideration, will not decide to press it to a vote, but if he does so, I have full confidence that the Court will be upheld, and that on this occasion the Conservative members of this House will show themselves truly conservative, both in name and principle, by setting their judgment against an attack upon a valuable and necessary institution, which, no matter by whom established, no matter by what party established, should be protected against the violent and revolutionary measure now under consideration.

MR. MACDONNELL: I merely rise to answer some of the remarks of the hon. member for Lunenburg (Mr. Kaulbach). I was not able to hear all he said, but I understood him to say that the people of the Province of Nova Scotia were dissatisfied with the Supreme and Exchequer Courts. My opportunity of knowing the feelings of the people of the Province of Nova Scotia in regard to that Court, is as large as his, and certainly I am not aware of any feeling in that Province adverse to this Court. On the contrary I say that the existence of this Court has given a great deal of satisfaction to the people in that Province. I believe the manner in which it has discharged its duties has also given great satisfaction. I know that there have been many appeals from the Supreme Court of Nova Scotia, and, I am sorry to say, that many of those appeals have resulted in a reversal of the decision given in the local Court. I feel satisfied that the Supreme Court

has had the effect of making the Supreme Court of Nova Scotia much more careful, and that already there is an improvement in that Court, and its decisions are now giving more satisfaction, and commanding more respect than formerly. I rose to repudiate the assertion that there is a feeling of dissatisfaction in Nova Scotia with this Court. I say there is no such feeling, but, on the contrary, one of strong approbation and satisfaction.

MR. CAMERON (North Victoria): I only rise for the purpose of denying the statement made in the House to-day by my hon. friend and namesake from South Huron (Mr. Cameron), who stated that I attacked the constitution of the Court last year, in common with other Conservative lawyers. For my part, I say most decidedly that that is not a correct statement of my remarks last year. I stated then, what I state now, that in my opinion the existence of the Supreme Court is necessary for the completion of our system of Confederation, and that it is as necessary that we should have a Supreme Court as that we should have a Parliament. I am not prepared to say that the Court is, in all respects, perfect, or that it has given entire satisfaction in Ontario, but that there is any general widespread dissatisfaction with it in Ontario I deny. Every Court has its opponents, of course. There are always a certain number of disappointed suitors, who complain of the Court, and no doubt it has not worked with the freedom, harmony, and promptitude that is desirable in Courts. There may have been delays, perhaps inexcusable in some instances, in giving judgments. I am not prepared to say that the Court gives entire satisfaction, or that it is popular in Ontario; but I do certainly deny that it is open to the wholesale denunciation that has been uttered in respect to it. But, while I depreciate this discussion, repeated year after year in Parliament, I feel that it is, perhaps, not unaccompanied by some little good, in tending to produce the removal of some of those defects which, to some extent, mar the harmony and usefulness of Court. But I do not wish it to go abroad to the country that, in the words of the hon. gentleman for South Huron, we, on this side of the House, have indulged in a wholesale denunciation of

the Court. We did nothing of the kind, and, while we have not given unqualified praise to the Court or its workings, I certainly deny, for my part, as far as I recollect the observations made in the House, that we indulged in a universal denunciation of it. It is perfectly true that the Court has been objected to as not giving satisfaction to some people in Ontario. There have been some complaints, but I think the general foundation of the complaints has rather been delay in giving judgment, which may be remedied. In some cases the judgment has not given satisfaction. We think that, perhaps, to some extent, the Supreme Court has been a little too ready to overrule the decisions of the Judges in Ontario, especially those in the Court of Chancery. But, for my part, I feel the necessity of this Court, and regret that there should be any faults or defects in the manner in which justice is administered there. I think the attacks upon it are calculated to impair its usefulness, and I trust that the Bill of the hon. member for East Northumberland (Mr. Keeler), will meet with the condemnation of this House.

MR. CAMERON (South Huron) : I rise to explain a remark that I made in regard to the hon. gentleman who has just taken his seat. I find, in the *Debates* of last year, as a portion of the remarks of Mr. Cameron, of North Victoria, the following words :—

“ That among the public and the profession there was a good deal of dissatisfaction in regard to the constitution of the Court. It was absolutely necessary that the constitution of the Court should be altered and greater strength given to it.”

That was the language the hon. gentleman then made use of, and it very clearly sustains my contention that the supporters of the Government did attack, in a violent manner, the usefulness and constitution of the Court.

MR. CAMERON (North Victoria) : In reply, I say that I repeat the observation I then made. I think the constitution of the Court, using the words in that sense, might be improved. I have always felt that it was necessary to strengthen the Supreme Court, and thereby, perhaps, render unnecessary intermediate Courts of Appeal in the Provinces. I have thought that, if the Supreme Court had been composed of the Chief Justices in

the several Provinces, with, perhaps, a certain number of other permanent Judges, it would have been a much stronger Court than it is to-day ; but to say that I made a general attack upon its constitution is an error.

MR. BRECKEN : I agree with the remarks that have fallen from the hon. the Minister of Justice with respect to this Court. I think it is much to be regretted that year after year this Bill should be introduced, and that remarks should be made with respect to the *personnel* of this Court and its constitution, which would tend, in any way, to lessen its usefulness. There is no doubt that the chief cause of dissatisfaction with this Court is owing to the circumstances that there are two different systems of law prevailing in the Dominion. No doubt this difficulty presented itself to the Government who promoted and passed this Act. The existence of these two systems of law must have rendered it a difficult task to constitute this Court in such a way as to give entire satisfaction to all parts of the Dominion. I listened, last year, to the views expressed on this subject in this House, and I must say that I did not agree with the hon. member for South Huron (Mr. M. C. Cameron) in his strictures upon the hon. member for North Victoria (Mr. H. Cameron). I did not understand that the latter gentleman in any way attacked the *personnel* of the Court, but only spoke of its constitution ; but, from the circumstance that one portion of the Bench represented one system of law, and another portion represented the other system, it is not strange that some difficulties have arisen. Speaking for my little Province, I have never heard of any dissatisfaction. We hold it as a matter of congratulation that this Court was constituted. The hon. member for Lunenburg (Mr. Kaulbach), in addressing the House, took up the question of expense. Why, the expense of appealing to this Court is but a bagatelle as compared with the expense of going to the other side of the Atlantic, to the Judicial Committee of the Privy Council. While agreeing with the remark that this latter is one of the most learned Benches in the world, we must not lose sight of the fact that, in appealing to that Court, we appeal to Judges who have been taken from the

Bar of England, who are acquainted with the English law chiefly. You have very learned lawyers there, but you have no member of the Judicial Committee who is learned in the system of law which prevails in Quebec, although I have no doubt that, when that Court is called upon to decide a case from any Province, its members endeavour to make themselves acquainted with the system of law prevailing there. We must bear in mind that in England the legal profession is differently dealt with than it is here. Here, we are "Jacks of all Trades;" we do a little in every branch of law. In England there is a division of labour, and, perhaps, that is one reason why practitioners there rise to such eminence in particular branches of the law. When these gentlemen find themselves on the Bench, and a case comes before them, from Quebec for instance, they undoubtedly endeavour to acquaint themselves with the system of law in that Province. I think that our Supreme Court is a necessary institution, now that we have been confederated, and we have learned men, both in Quebec and Ontario, capable of conducting that Court worthily. I have been given to understand, and I believe it is true, that the legal lore attained by the Bench and the legal practitioners in these two Provinces, particularly in Ontario, as far as the English law is concerned, will compare favourably with the Bench and Bar of England. Therefore, I do not see why we should be obliged to go to the other side of the Atlantic to find a Court of ultimate appeal, when we have the material for it here. Owing to these two systems of law, the Court may require some modification, but, in any case, the members of the Bar in the Dominion will find a greater necessity now to make themselves acquainted with both systems of law. I think it is a matter of regret that hon. members of this House should attempt to depreciate the value of that Court, and lessen the confidence of the people of this Dominion in its efficiency. I have not heard one word said about the integrity of the gentlemen composing this Court, and I think they are above reproach. For myself, I have never had more than one case before the Court, but I believe justice is there fairly administered, and at a comparatively small cost. I think it is an admission that we are not called upon to

make that one cannot, in this Dominion, find the material to constitute a Court that will command the respect, not only of litigants, but of the people throughout the country. I hope the Bill introduced by the hon. mover will meet with very little support in this House.

MR. HAGGART: I think the hon. member for East Northumberland (Mr. Keeler) deserves the thanks of this House for the introduction of this matter. I believe, however, that the dissatisfaction with this Court is not so much against its *personnel* as against the multitude of Courts which exist throughout the country. There is a feeling that it requires a person with a very long purse to conduct a law-suit at present. The costs of litigation are so heavy that it requires a very large expenditure before a person can obtain anything like justice. The feeling is that the Courts are too numerous in this country—not so much against the Supreme Court, the success of which is doubtful. I beg to differ from the opinion of the hon. the Minister of Justice that the British North America Act made that Court obligatory on the country. I think the clause under which the Court has been constituted is a permissive clause only, allowing us to constitute such a Court. I am far from thinking that the usefulness of a Court is interfered with at all by a public discussion like this in the House. I think a discussion of this kind tends to improve the Court. Now, why is it that the feeling is so general against the large expenditure for judicial purposes throughout the country? In 1873, the expenditure was \$318,000; it is now about \$577,000, which is a most extraordinary increase in the expenditure for judicial purposes in this country. We are told that the costs of an appeal to the Supreme Court are far less than to the Privy Council of England. But we must remember that we can carry an appeal from the Supreme Court to England, and, in that, I beg to differ from the view of the hon. gentlemen who have spoken. As to the usefulness of this Court, let us look at the number of cases adjudicated upon. By the returns which have just been brought down, we find that seventy-nine cases have been appealed to the Supreme Court of the Dominion, and that they have cost suitors \$2,000 for each case which the

Court has passed an opinion upon. I believe I am correct in stating that the feeling which is almost universal throughout the country is not particularly against the Supreme Court or the Judges. I believe they command the respect of the country as much as the Judges of any other Court, but the feeling is against the multitude of tribunals that a person has to pass through before his case is finally adjudicated upon. I think the hon. member for East Northumberland is merely doing his duty to his constituents in bringing that fact before the House; nevertheless, I do not feel that I should be justified in voting at present for the second reading of the Bill for doing away with the Court, but I simply desire to draw the attention of the House to the fact that there is great dissatisfaction against the multitude of Courts at present existing.

MR. Fiset: I feel, Mr. Speaker, that I am bound to offer some explanations before voting on the question which is now engaging our attention. When the Bill for establishing the Supreme Court was submitted to us, I voted for that measure, in the belief that it would prove useful and acceptable to the electors; since then, elections have taken place, the question has been submitted to the people, and, although I was elected by my friends, they, nevertheless, reproached me for having voted for that measure. One hon. Minister, in view of the position assumed by the Government of which he forms part, must feel very uncomfortable, for he it was who, in the county which I have the honour to represent, spoke most strongly against the establishment of the Supreme Court. On the hustings, he incessantly attacked me for having voted for the Bill for its establishment. According to him, it had been established fifty years too soon; it entailed enormous expense; the people had no need of such a Court; in a word, it was one of the extravagances of the Mackenzie Government. After such protestations, his vote on the question will be watched with interest. For my part, Sir, as I am here to represent the feeling of my electors, and as that feeling was openly manifested at the last election, I consider that I must vote for the Bill of the hon. member for East Northumberland. If the vote be a bad one, the responsibility must rest on

the hon. member who influenced my electors against the important measure in question, and who is now absent from this House. The hon. the Minister of Public Works, having declared in the course of his observations 'that he was or had been always ready to meet me, I replied to him: "No, you got out of the way more than once."

MR. MASSON: The hon. member must know that it was much easier to establish the Supreme Court than to abolish it when once established.

MR. LANGEVIN: I am told that the hon. member for Rimouski (Mr. Fiset) spoke of me a short time ago, and said that I had escaped from the House; the fact is that I was engaged in writing a telegram, and, therefore, could not have the honour of listening to him at the time. Further, it is not my habit to escape from the Chamber, either on this occasion or when voting is going on. The hon. member is well aware of that; he is well aware that, when I have occasion to meet him, I do not get out of the way. In relation to the Supreme Court, I shall not recommence the discussion with the hon. member. The discussion was too agreeable in the county of Rimouski for us to recommence it. But, in any case, so far as this important question is concerned, I am now a Minister of the Crown, and, as such, have my responsibility, as the hon. member has his. As the policy of the Government in relation to this measure has been announced by the hon. the Prime Minister, it is unnecessary for me to speak on the subject at any greater length at present.

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

### After Recess.

MR. MOUSSEAU: The question now before the House is a very momentous one, and should be approached with a deep sense of its gravity. We have to deal with the Judiciary. A pure Judiciary has always been considered to be the bulwark of English liberties. So, when we are dealing with Courts and Judges we must always be respectful. The measure which is now before the House I second with a great deal of pleasure. I deny that it is a revolutionary measure, as has been stated by one of the hon. members opposed to the Bill. It is only a demand made by a re-



spectable portion of this House, and by the greater portion of the whole public, for the repeal of a law which, at the time it was passed, had a majority of the people against it. The experiment has been tried, the Court has been in existence five years, and now we find that many of those who were formerly in favour of it have to confess that, so far, it has been productive of no good. Now, I will not deal with this question as a lawyer; I am not here as an advocate, or as a professional man; but I am here as a public man, representing the mass of the people, and being bound thereby to work for the welfare of the the greatest number. I do not speak of the Supreme Court as a party man, not even as a Conservative. An evidence that I shall attempt to deal impartially with this question is the fact, and a painful fact it is, that I am compelled to differ from my illustrious leader. When I was in Opposition, in 1875, I strongly opposed the Bill establishing that Court, from beginning to end. In every election since, wherever I have spoken—and I have spoken in many rural constituencies—I have always spoken against that Act, and reproached the Liberal party for having imposed upon the people that costly and entirely useless measure. Now my friends have come into power, and I pursue the same course. I think that the hon. the leader of the Government has set me a good example of consistency; he has always been in favour of a Supreme Court, and I have always been opposed to it. I still maintain my own ground, as he still maintains his. Now, I wish to repeat what has already been said by many hon. members, that I have the greatest respect, if not the highest admiration, for the *personnel* of the Court. Everybody admits that the learned Judges who sit in that Court have given general satisfaction, with respect to the manner in which they have performed their duties. I now beg to read a short quotation from a speech I made in 1875, in order to show that I was correct in the views I then took:—

“It was always an important matter to create a new tribunal, but it was a still more so to establish a Court under circumstances so peculiar as the present. The first question which every member—he might say every citizen of this country—would naturally put to himself, would be—whether is the law necessary or otherwise? It is asked for by

British Columbia, a Province which has but, recently entered the Confederation. He did not think so. Was it asked for by Ontario, which prided itself upon the constitution of its Courts, and the general administration of justice within its jurisdiction? Certainly not. Was it asked for by Quebec? On the contrary, it was because Quebec always strongly opposed the creation of a course of this nature that it had not been consummated before. It was not from the Maritime Provinces the request came. The press, moreover had never urged that this course was necessary. Public opinion did not ask for it, nor did it give expressions to any desire in that direction, through the usual channels. To him it appeared that public men and statesmen, before entering upon a great enterprise, before spending many thousands of dollars, in short before passing any important law, ought always first to study whether such a law was wanted by the country. Public men and statesmen usually watched very closely and very attentively what was called the tide of public opinion, before imposing upon the country such an expenditure as this, for it was, after all, a very doubtful boon. It seemed to him that the members of the Government should have enquired, when bringing this measure down, whether it was demanded by the country. If such an enquiry had been made, he felt certain that the proposition to pass this Bill would never have been laid before the House.”

Those, Mr. Speaker, were my opinions in 1875, and everything which has since taken place has only tended to confirm me in those views, and in the belief that nobody has asked for that Court, and no one desires it now. It has been seen, since the beginning of this debate, that the usefulness of the Supreme Court was gone, since so many persons have lost confidence in it. I contend that its usefulness has not gone, because it never existed. It was always a useless institution, which no Province, no constituency, and no portion of the press have ever demanded. Many hon. gentlemen then, as now, have spoken of the necessity of the Court. On what ground do they proclaim that necessity? They say it was necessary to complete Confederation, to put the keystone to the arch of Confederation. We all recollect that in 1875, after the organisation of that Court, there was a grand demonstration and banquet at Rideau Hall, where those worthy gentlemen, the Judges of the Court, were dressed in red, where fine speeches were delivered upon the necessity of that Court, in order to complete Confederation, and place the crown upon the work. People say that, without that Court, the keystone would be wanting to the arch. But, where can we find the

evidence of that necessity? I can see but one section in the Federal Act of 1867 which may be invoked for the creation of that Court, or for its maintenance now. By this Act, Canada "might, notwithstanding this Act, from time to time, provide for the constitution, maintenance and organisation 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." There are two distinct provisions in that clause. This Parliament may, whenever it likes, establish a General Court of Appeal for Canada, to which appeal may be brought from all the Provinces. The second clause gives another power to establish additional Courts for the better administration of the law of Canada, that is, the Courts of original jurisdiction. Now, when hon. gentlemen state that the Supreme Court was necessary to crown the work of Confederation, they can base their assertions on no other ground than this very section. When was ever demonstrated the necessity of a Court of Appeal from the judgments of all the Provincial Judges? Nobody ever asked for it—never did any Provincial constituency, or newspaper, demonstrate that the Provinces wanted their Judges improved upon by a Supreme Court; nor did anybody ask for a better administration of the laws of Canada. But, if no reasons whatever were given to prove the necessity of this Court, a great many were given to show its utter uselessness. I understand the necessity for a Supreme Court that arose in the United States after they established their independence. Federal laws were administered in that country by State Judges, who, sometimes, might be hostile to the Federal Government. But, in Canada, there is only one State for judicial purposes. We established a General Supreme Court, and took precautions to render it useless for fifty years or a century. Because our Provincial Courts are virtually Federal Courts; the Judges are appointed and paid by us, and on misbehaving are impeachable by the House. So, in reality, there are no grounds whatever for the maintenance of the Supreme Court, as our Provincial Courts are Federal Courts, and our Provincial Judges Federal officers. That Court entails a useless heavy expense.

My view is supported by the brightest and most respected of all our judicial authorities—I mean the Supreme Court itself. You recollect some of the late decisions in election trials. In some cases the respondents, the sitting members, including the member for Richelieu (Mr. Massue), pleaded want of jurisdiction. They pleaded that the Provincial Judges have no right to take cognisance of an Act passed by the Federal Parliament, because it has no right whatever to impose a new jurisdiction, with new duties, on the Provincial Judges, and, instead of having constituted our Provincial Judges Federal officers, the Bill of 1874 delegated election trials to the Judges of the Superior Courts, as Judges of the Superior Courts, and not as Federal Courts. Some of the Provincial Judges said the objection held good; others that it did not. The question came before the Supreme Court, whose Judges declared that the Judges of the Provincial Courts were appointed by the Federal Government and paid by it, and were impeachable before the Federal Parliament, and they overruled all objections to this view, the Judges of the Supreme Court deciding unanimously that the Provincial Courts and Judges were Federal so far as the laws of this Parliament were concerned. Some of the hon. gentlemen who preceded me tried to change the field of the debate, stating that the greatest dissatisfaction came from Quebec. That is not a correct assertion. As for myself, I have come only once to that Court, when I gained my case. I know other Quebec lawyers who have appeared before it, who have been generally satisfied with its judgments. But there is something worse than the erroneous character of that statement. Though we are not dissatisfied with the Court, we have a deep-rooted feeling against it, on the belief that it is useless. We have in Quebec a complete organisation of Judges, in whom we have full confidence. Were we not satisfied, we should prefer going to England to coming to Ottawa. Quebec lawyers very seldom come here. The right hon. leader of the Government says that to render this Court more acceptable more Judges should be appointed—it ought to be more costly. I go farther, and say it ought to be put in a more dignified position; but it should not be held in these Parliament buildings, because that ex-

poses it to the suspicion, with some, of acting at the bidding of Parliament and the Government, so the Court ought to have a new building or Court-house. So this is a new ground of opposition to the maintenance of that Court. There is no dissatisfaction with our Provincial Courts in Quebec, and, I think, none in Ontario with its Courts. But there is the same admission on all sides. You hear hon. members opposing the repeal of this law, saying, as I say, that they have the highest respect for the Court and its Judges; however, the public opinion of five years is unanimous on the point, including that of the leader of the Government, that, so far, it gives no satisfaction. This seems a strange and illogical position; the Court is not bad after all, since the Judges were so good, and so people ought to say nothing against it. But how is it then that it gives no satisfaction whatever? If the fault is not with the Judges, it must be with the system. We saw by the speeches of the Ontario members who took part in the long debate on this Bill last year that the feeling in that Province towards the Supreme Court was not better than that of Quebec—perhaps it was more adverse. There is no bad feeling in Quebec, but a conviction that the Court is useless—that is the whole case explained. The member for South Lanark (Mr. Haggart) said, in the debate on the motion in favor of this Bill: “I am in favour of the motion, and my feeling is nothing but an echo of the feeling of a large portion of the population of Ontario, who are strongly opposed to having a great multiplication of tribunals. That opinion has been manifested everywhere, and we regard, in Ontario, the Supreme Court as entirely useless, and too costly.” Members of influence, in Ontario, such as the member for North Simcoe (Mr. McCarthy) did not say they were against that Court, but, four years after its establishment, he says that, so far, in Ontario, it gives no satisfaction. This language has come from nearly all the speakers on this subject; first, that, so far, it gives no satisfaction, after which come great eulogiums on the Judges. Let us call things by their proper names. It is better to say the Judges are respectable—up to the mark—but they are not wanted. The member for North Victoria (Mr. Cameron) had spoken to the same effect. Another

Ontario member declared the Supreme Court is the most unpopular Court in that Province. Representatives of Ontario have gone much further than Quebec men in this respect. The remarks of the hon. member for Lunenburg (Mr. Kaulbach) show a similar feeling in Nova Scotia—all parties agreeing that, however clever and respectable the Judges of the Supreme Court, it is not popular—not wanted. We are driven to the conclusion, therefore, that the Court is useless. The objection that, without this Court, we could not have the Exchequer Court, is unfounded. We have, in all our Provinces, Courts for the execution of the Federal Laws—the Supreme Court itself so decided—and for the establishment of any additional Courts for the administration of the laws of Canada. If the Government had felt the necessity of adding special Courts for the carrying out of some of its laws, especially the revenue laws, and the difficulties which may arise between private citizens and the Government, it could find a very proper remedy by establishing a special Court, with one or two Judges. But from 1867 to 1875 we were without any such Courts, we were without the Supreme or Exchequer Courts, and I ask anybody in this House if ever any complaint was sent to the Government of this country, or if any petition was presented to this Parliament complaining that either the revenue laws, or any other Federal laws were not well executed, were not well carried out by the Judges of our Provincial Court. No; during eight years, no complaint was made to this Parliament against the Provincial Courts, or to say that the establishment of a Supreme or Exchequer Court was necessary. As I said, when I opened my remarks, the duty which I fulfil now is a painful one for me to perform. It is a painful thing for me to differ from my leader, but there is something in what we call political honour and political dignity. In 1875, I was strongly against that law. I was strongly against the establishment of the Supreme Court, but that Court has been established, that Court has had its test, and, after five years of existence, we find everybody and every Province saying that, while the Judges are worthy men, fulfilling their duties splendidly, the Court gives no satisfaction whatever. The conclusion is

that my hon. friend the mover of this Bill before the House is correct, and I hope the repeal of this law will be carried out by this House.

MR. BLAKE: To one of the propositions advanced by the hon. member for South Lanark (Mr. Haggart), the House, I think, will not be disposed to assent. The hon. gentleman states that the objection which the people of Ontario have to this Court is not due to its constitution, or to the mode in which justice is administered in it, but to the circumstance that it is so difficult and expensive to reach the end of litigation, in consequence of the very great number of appellate tribunals through which the suitor is dragged before the case is closed. Now, that observation is theoretically applicable with greater force to the Province of Ontario, and to the Province of Quebec, than it is to the other Provinces of the Dominion, because, in these two Provinces, there is a possibility of resorting to an intermediate appellate tribunal, always in Ontario, and sometimes in Quebec, before the Supreme Court is reached. The observation does not at all apply to the Maritime Provinces, to British Columbia or to Manitoba, where they have but their Supreme Courts, from which alone appeals can be taken to the Supreme Court. With reference to these two Provinces, I quite agree, situated as the Supreme Court is, geographically, to both of them, that we may hope for the arrival of the day when Local Legislatures shall abolish their intermediate Courts of Appeal. But I wish to point out that, in the meantime, the objection taken by the hon. member is not one of practical or general consequence, as the existing system is, in fact, worked. I will refer to the general scope of the transactions of that great Court in Ontario with whose business I happen to be most familiar—the Court of Equity. In that Court, the number of decisions for the last five years has averaged 1,500 a year. As to the number of appeals to the Ontario Court of Appeal, I am not able to give the figures accurately, but I think I am within the mark when I say that there are from twenty-five to thirty in the year. The number of appeals from the Ontario Court to the Supreme Court will, I dare say—and again I have not ascertained the exact figures, but speak from general information—run from seven to ten. The

practical result is that only about one and two-thirds of one per cent. of the decisions are appealed, at all, to any Court, and only about one-half of one per cent. of the decisions are appealed to the Supreme Court. The extent to which the mass of suitors throughout Ontario suffer, from delay or expense, by reason of the existence of the appellate tribunals, is as shown conclusively by these figures, infinitesimal. Almost the whole of the litigation is disposed of finally by the Court of first instance. The hon. member for North Simcoe (Mr. McCarthy), and the hon. member for North Victoria (Mr. Cameron) will be able to speak with authority with reference to the number and disposition of the cases in the other Superior Courts of first instance. I have no reason, however, to suppose the result will vary materially from that which I have already stated. Whether this result arises from the circumstance that our suitors and lawyers are not unduly litigious, or because they are thoroughly satisfied with the Courts of first instance, or from both causes, is immaterial. Practically, almost everything is settled by the first Court. It is, as a rule, only very important, or very doubtful, cases that come to the Courts of Appeal. Thus the general grievance alleged is dissipated, but I do not conceive that this circumstance detracts from the importance of an Appellate Court. On the contrary, my opinion is that no small part of the efficiency of Courts of first instance is due to the fact that their decisions are subject to supervision and appeal. Men are apt, in all positions, to be arbitrary. Men are apt, in all positions, to grow careless and indolent; and a Judge, who sits as the sole and final arbiter of a cause, is less likely to be satisfactory, than one who knows that his decisions are subject to review. The efficient working of a Court of first instance is thus increased by the consideration that its judgments are subject to review, and thus the very existence of an Appellate Court renders less essential the resort to that tribunal. I am quite sure that my hon. friends from the Maritime Provinces, who have laboured under the serious disadvantage of having, within their Provinces, only a Court of first instance, and of having only a Court which was practically the final, as well as the original

tribunal, will agree in the view I take; they will agree with me—I do not speak from knowledge, or from experience in their Courts, but I speak from what I know of my own Province and of human nature—that the working of their Provincial Courts has been more satisfactory since the establishment of the Supreme Court than it was before their decisions were subject to review. I have said that the Provincial Courts were practically, for the mass of suitors, the final Courts. To establish that proposition, I desire to refer to figures which I gave in 1878, in this House, upon the discussion of the Supreme Court. I shall not trouble the House with the details by which I proved to the satisfaction of the House—for my figures were not controverted that the average cost, on both sides, of an appeal to the Privy Council was no less a sum than \$5,000. It is urged that the costs of an appeal to the Supreme Court are too great. This may be so, but no one will pretend that the average cost of an appeal to the Supreme Court is to be mentioned in the same breath with the sum I have named. That is not all. There is the question of delay. I believe that the judgments of the Supreme Court have not been given as expeditiously as they might have been given, but, if you calculate the time from which you commence an appeal, until you receive judgment in the Supreme Court, infinitely less time is involved than in an appeal to the Privy Council, which is practically beyond the suitor's reach. This I also proved in detail in the speech to which I have alluded, so that in regard to economy of time, and to economy of money, as it stands to reason, so also it stands the test of experience that an appellate tribunal within the country must be more satisfactory to suitors than an appeal to the Privy Council. If the expenses of an appeal are higher than they ought to be, Parliament has power to discuss that subject, and to take steps for their diminution. There are some points, in regard to which discussion has been had formerly in this House, in which the expense might be reduced. I believe, for example, that it would be a proper thing to provide, in all cases in which the procedure of the Court below requires that the proceedings

should be printed, that the Supreme Court

should accept the books and printed papers of the Court below, without requiring any reprinting at all. That would involve a very considerable saving. I regret that the Court has not been as responsive to public opinion, and to the opinion of the profession on several points of convenience, as I think it ought to have been. For instance, the suggestion was made, long ago, that there should be separate lists of the cases to be heard from the different Provinces, so that the convenience and economy of the profession, which means the convenience and economy of the suitor, in point of attendance here might be secured. The suggestion fell to the ground, and you had to pass an Act of Parliament to effect an obvious improvement, which might have been accomplished long before by a rule of Court. So again with regard to the terms. It was perfectly obvious that an additional term was in the public interest. But no step was taken, although the Court had power to fix such a term, and the action of Parliament was invoked for this purpose. These are instances in which I think it may be fairly said that the Court has not been sufficiently responsive, as I have said, to public opinion and to the opinion of the profession, in regard to what the interests of justice required, and it is this defect which has given rise to a good deal of the dissatisfaction among the profession to which the First Minister alluded this evening. But, while you may rightly call for improvement in such particulars, you must remember that the Court was constituted and proceeded to exercise its functions under circumstances of some difficulty. We thought it was highly important that the Judges should reside at the seat of the Court, because we believed it to be of the essence of the efficient working of such a tribunal concerned with the laws of the different Provinces, and with at least two systems of jurisprudence, that the Judges should have constant opportunities of consultation and mutual debilitation. It is obvious that the domestication here of gentlemen drawn from different Provinces must take some time. It did take some time, and, during that period, it was quite clear that the view of Parliament could not be fully carried out. But that difficulty, I understand, has been entirely settled. I believe it would be of very great advantage

to adopt, to a large extent, the rule of the Privy Council, as the mode of delivering judgment. The opinion of an Appellate Court which is practically a Court of Final Appeal, should be confined to the precise matter in hand, and any judicial divergence of opinion, or subject not necessary to be decided, should be absolutely eliminated. The course pursued in the Privy Council is well known, I presume, to all lawyers. The Judges, after hearing argument, deliberate at the earliest moment, and, having come to general conclusions, it is arranged that some one of them shall prepare and deliver the judgment in the particular case. This Judge prepares a draft, conveying, as well as he can, the arguments which have led to the agreed conclusion. The draft is printed and laid before each of the other Judges, who note on it any remarks which occur to them. If necessary, there is another meeting for deliberation, and the judgment in the end is the general finding of all delivered by one. Thus, instead of uncertainty and confusion in matters which are not necessary for decision being raised by *obiter dicta*, the judgment is confined to the real question in issue; and upon that question it presents the views which are common to the event. I believe such a mode of delivering judgments would have conduced largely to the confidence which should be reposed in the Supreme Court. But you must not mix up any suggested defects in the early working of an institution by those who are charged with its management, even were the defects much graver than they are, with the question of the merits and the principle of the institution itself. I believe the establishment of a Supreme Court rests upon an impregnable foundation. I say that we cannot work our Federal Constitution, unless we have, within our bounds, a Court available for the authoritative settlement of the various questions which will always be arising under a Federal Constitution. There are conflicting opinions as to the character of the Constitution, as to the absolute or relative range of Provincial and Federal powers, and as to the interpretation of the laws. Are we to say that these divergencies of opinion, formulated by judicial decisions in the various Courts of the various Provinces, from Vancouver Island to Halifax, are to remain unset-

tled until some suitor shall be found rich enough, bold enough, and venturesome enough, to take the litigation across the water, to the Queen in Council, at the average expense to which I have referred. And are we to determine that there and there alone can be obtained a satisfactory adjustment of these questions. I altogether deny it, Sir. I maintain that, if you are not able, within the limits of Canada, to find Judges competent to expound your Constitution and to declare the meaning of your laws, you are not fit to make the laws. I want to know by what rule it is that you, who so jealously hold to your exclusive power of making laws, who so loudly proclaim that you are not merely the best fitted, but the only ones fitted to judge by what laws you shall be governed, come to the conclusion that you cannot find among yourselves men competent to interpret satisfactorily the laws you make. You are condemning us as unfit to be a self-governing people, you are denouncing us as persons who ought to be in a state of dependence, minority and tutelage, when you declare that one should look abroad for persons to decide the meaning of the laws we made. But, looking abroad, where do you look? You look to Judges whose lives have been passed, whose modes of thought, and feeling, and action, have been formed, in a wholly different constitutional atmosphere from this. The whole British system is in contradiction to the Federal system. Their system is one of legislative union; it is based upon the omnipotence of the sole and central Parliament. The question never arose, never could arise, to British statesmen or a British Judge, whether an Act of the British Parliament, affecting British subjects, is within the competence of that Parliament or not. Such a notion is to them preposterous. It is to them incredible that such a question could be raised. Now, a Constitution like ours, complicated and delicate in its adjustments, requires for its interpretation that measure of learning, experience and practice which those who live under it, who work it, and who are practically engaged in its operation all their lives acquiring. The British North America Act is a skeleton. The true form and proportions, the true spirit of our Constitution, can be made mani-

fest only to the men of the soil. I deny that it can be well expounded by men whose whole lives have been passed, not merely in another, but in an opposite sphere of practice; and these men must come to the consideration of these topics, at the greatest disadvantage and from the wrong point of view. Therefore, I maintain that, freely granting the correctness of the views of hon. gentlemen who maintain that we cannot find, within our bounds, as able men as those sitting in the Judicial Committee, still the atmosphere in which our inferior men have lived, their general local knowledge, learning, training, and experience, give them a much greater capacity for the proper apprehension of these important subjects than can be obtained by even the most eminent jurists, sitting as close as you please to Westminster Hall, who, for a few hours, bestow their best attention on the discussion of such subjects, as a general rule, by counsel equally uninformed, equally unimbued with the federal spirit. Yes, Sir, I maintain that, in theory and principle, the Supreme Court rests upon an unprejudiced foundation, and that we shall be unworthy of ourselves; we shall be writing down our own condemnation if we declare that that tribunal established to secure a satisfactory and uniform interpretation of our laws and Constitution, situated at a convenient point, as far as the two greater Provinces are concerned, and at a point as convenient as is practicable with regard to the other Provinces—is a useless institution. The hon. member for Bagot says that with the decisions of the Court of Queen's Bench the people of Quebec are satisfied. I believe that Court is now worthy of their confidence, but I remember the day when it was far otherwise. I remember the day, not long ago, when there were loud and well-founded complaints against that Court, and this I know, whether they be satisfied or not, Quebec has always had an unhappy pre-eminence as to the number of appeals to the Queen in Council. The curious mode in which they have always signified their satisfaction with the decision of the Local Courts has been to bring more appeals than any other Province. The hon. gentleman said, when they were dissatisfied they knew where to go, to "the old shop across the water." I once had a conver-

sation with an eminent member of the Quebec Bar, who told me: "We generally manage to have our appeals tried during the summer vacation. It is a very pleasant trip across the Atlantic, and we get it not at our own expense. I do not see any particular reason why we should favour the Supreme Court." I do not know whether the hon. member shares these views, and thus prefers the old shop. His clients may have long purses, and, although perfectly satisfied, as the hon. member says, with the Judges and the decisions of the Supreme Court, they may prefer three or four years' delay and \$5,000 costs, to a few months' delay and a few hundred dollars costs. If so, I can only congratulate the hon. gentleman on his *clientèle*. I trust, for his sake, they may be long-enduring, and that he may be often sent across the water on such pleasant terms. For us who believed, and still believe, that the people of Quebec have recognised, and will more fully recognise, the ability of this Court, we take another view. Montreal and Ottawa being within four hours' journey, they have an opportunity of litigating their causes here before a tribunal competent to determine them—not by the Privy Council, whose only knowledge of the Quebec laws is based on their general agreement with the Civil or Roman Law, but a tribunal composed, as to one-third of their number, of men who, hailing from the Province of Quebec, having practised in the Courts there, having sat upon the Bench there, are well versed in the peculiar laws of Quebec; a tribunal not composed—as is the case of the Privy Council—of men who, as I know, in some cases, have sent to Paris, to a French jurist, to find out what the old French law was, and who have then decided, according to that opinion, Quebec appeals. The people of Quebec can have these questions promptly, and comparatively inexpensively brought up here and argued, not by foreign counsel, but by their own best lawyers, who have had the conduct of the cases in the Courts below. I have a confident belief that the people of Quebec must realise the advantage of having such a Court of Appeal as the Supreme Court at their own doors, placed as it is in so favourable a position, geographically, for that Province. Its situation, in that

respect, is the most favourable of any Province in the Dominion. The other Provinces will also find a great advantage from having such a Court of Appeal within the Dominion. I do not know what the recent statistics are. The statistics, up to 1878, show that the greatest number of appeals came from the Province of Quebec—twenty-three from Quebec as against nineteen from Ontario—although Ontario has a larger amount of litigation than Quebec. The abuse, from party motives, heaped upon this Court, in the press and from the hustings, has created a considerable amount of feeling and of prejudice. It is very easy to deery and hound down an institution of this kind. The gentlemen who sit on these Benches of Justice cannot be heard here. There is no one to speak for them. They cannot appeal to the public through the press. The Court is in a very difficult position, having regard to the settled system of attack made upon it. But I believe it will survive. But, Sir, there is another function for which, in my opinion, this Court is essential. I refer to the final decision of controverted elections. In this respect, we have a law which is susceptible, as we know, of various interpretation, and there is nothing more important than that we should reach the true interpretation of that law, in order to its uniform interpretation in each of the Provinces, and by the various Judges in every Province. There is nothing more calculated to promote discontent and uneasiness, both in the minds of the candidates and in the minds of the constituents, than to have such questions decided one way by one Judge, and another way by another Judge, or to have them decided one way in one Province, and another way in another Province. But, in the Supreme Court, we have a machinery for the correction of these discrepancies of opinion. We have a machinery by which we shall know the true interpretation of the law, and, when once that high tribunal has pronounced, it is the bounden duty of all the Provincial Judges to follow their interpretation; and, if the law as thus expounded does not meet with the views of Parliament, Parliament has the power in its own hands to correct any error by altering the law until it be conformable to the views

of the Legislature. But it is essentially necessary that there should be some one power for coordinating these various Provincial decisions, and determining, finally, the meaning of the Election Law. The services which the Supreme Court has rendered to the country in this particular are surely of the last importance. There is a decision on this subject which is familiar to all of us. I need not particularise the case. But I will say that this case alone is sufficient to enlist the support of all true lovers of liberty throughout Canada in the maintenance of this Court, even if it had no other title to our respect and esteem. But it has yet as an Exchequer Court, in its capacity another important function. It has been called upon to deal with those numerous cases—numerous and very important in a pecuniary sense—in which claims are made against the Crown. I recollect when this additional jurisdiction was given to the Exchequer Court that hon. gentlemen opposite took a very earnest part in maintaining the propriety of introducing machinery of this description; and they wanted us then and there to abolish the institution of the Dominion Arbitrators, to whom certain demands made against the Crown might be referred. The Government suggested that it would be well to look first at the various Acts under which references might be made to the Arbitrators, to put the new jurisdiction into operation, and see how the Court worked for a year, before proposing the abolition of the Arbitrators. But they did not pronounce against their abolition. Provision was made in the constitution of the Court for referring to Registrars, to experts, and others, all questions which might be referred to them. It is, however, true, that lately one or more cases which were before the Exchequer Court have been sent or transferred to the Dominion Arbitrators. This is a remarkable change of policy. Something was said by the hon. member for East Northumberland with reference to referring cases to engineers. He said he was an engineer, and he knew all about it. Well, I am a lawyer, and I know all about it. What decision can an engineer give upon the legal construction of a contract, and the different nice questions of an exclusively legal nature arising? An engineer is competent to determine matters



of measurement, or calculation involved in a contract; but the knowledge required to decide the meaning of a contract is another matter altogether; and it would be found that the course the hon. gentleman suggests would involve the country in a loss, in one year, which would be sufficient to support the Supreme Court for years to come. It is of the first consequence that we should preserve a tribunal of this description to dispose of these cases—where the legal rights and liabilities of the parties can be decided by the proper legal machinery, which can refer to the proper persons—Registrars, Engineers, etc.—matters involving the amount of damages sustained, it there is a case for damages. There were, I believe, from three to three and a half millions of money claimed against the Crown in the Exchequer, up to 1878, and only a trifle was recovered, instead of the large sums which would have been recovered under other circumstances. The saving to the country would maintain the Court forever. Now, Sir, I say that this institution was established only a few years ago, by the common consent of the leaders of public opinion in this House and in the country. It is not to be forgotten that a Supreme Court Bill was introduced twice in two different Sessions of the first Parliament. It received the support of the hon. the leader of this House, on one side of politics, and of the hon. member for Lambton (Mr. Mackenzie), on the other side of politics. It was a third time introduced by the Government of the hon. member for Lambton; and it then received the most earnest support of the hon. the First Minister, at that time leader of the Opposition; to one clause alone, introduced during the progress of the Bill, did he object; as to the rest, he facilitated the progress, and improved the machinery, of the Bill as much as possible. It is not to be forgotten that this is an institution contemplated by the Act of Confederation, an institution, the necessity for which had been proved, and was recognised by both political parties for years, against, as I admit, the remonstrances of the hon. member for Bagot, but with the unanimous consent of the weightiest men in the Chamber. The hon. member for East Northumberland said the sense of the people had not been taken upon it

MR. BLAKE.

Why, the election of 1874, took place after an express declaration of the Ministry that they contemplated the erection of a Supreme Court of Appeal. Upon that they went to the country. The electors were aware that that was part of the Ministerial programme. It is not to be forgotten that in this sort was the Supreme Court established. Whatever defects of administration have existed, or may exist, exaggerated as they have been, they are not such as are inherent in the constitution of the Court, or such as to justify its demolition. I think we do it a great injustice. I agree that this is the place in which the weaknesses and defects of public institutions and their management should be discussed, but we prevent the Court from exercising that authority and influence, which are such essential elements to its success, as the highest tribunal in the Dominion, by even seriously discussing the proposal for its abolition, especially so soon after its establishment. We are like children, who plant seeds in their garden in the morning, and pluck them up in the evening, to see if they are growing, when we pluck up an institution which has hardly had time to germinate. It would be extremely unwise to shake the confidence of the people in the stability of this Court, by the vote to-night. I implore Parliament to accept the view of the hon. the Minister of Justice that there should be no vote calculated in the slightest degree to show that this Court is not to remain an essential and important constituent part of our settled system, but by decisive and overwhelming numbers to regret the proposal. And I therefore move that the Bill be read a second time this day six months.

*Motion made and question proposed:*

That the said Bill be not now read the second time, but that it be read the second time this day six months.—(Mr. Blake.)

MR. GIROUARD (Jacques Cartier): I did not intend to speak on this important question; but it is my duty, as a member of the Bar, of the Province of Quebec, to state why I shall vote against the Bill for the repeal of the Supreme Court. I do not entirely agree with the remarks of the hon. gentleman who has just sat down, nor with the remarks of the hon. member for Bagot (Mr. Mous-

seau). I believe that it is true that some good can be obtained from the Supreme Court. I believe that this Court is a necessity, for the decision of constitutional questions, and that the Exchequer Court is an essential Court for deciding questions between the Crown and the citizens of this country. I believe, also, that the said Court is a useful tribunal, as a Court of Appeal from the decisions of the Dominion Arbitrators, but I doubt if that Court is not a source of ruination in election cases. When we look at the two contested election cases of Charlevoix and Jacques Cartier; when we consider the two enormous volumes of printed evidence, containing some 400 or 500 pages each, and the enormous expense connected with these election appeals, amounting to from \$3,000 to \$5,000, I say it is very doubtful indeed whether that Court, sitting as an Appeal Court in election cases, is a useful one. It appears to me that in these cases the law being the same throughout the whole Dominion, we can obtain the desired uniformity of jurisprudence by taking the law reports of the various Provinces. It is not, to-day, as it was twenty years ago, when it was impossible to consult the decisions of other Provinces. Now, we have every day reports reaching us from other Provinces, no matter where situated; we have reports bringing within our reach decisions of the whole world, and it is just as easy a matter for provisional Judges to establish a uniformity of jurisprudence in regard to Election Acts as it is for the Supreme Court. I will now go to another point, which concerns the Province of Quebec in particular. Speaking of the jurisdiction of the Supreme Court, I must say, as a member of the legal profession in the Province of Quebec, that that Court has not given satisfaction in that respect, and for a very obvious reason. I do not wish to make ungenerous remarks of the Judges of the Supreme Court. I believe that some of them, very likely the majority of them, are very able men. But we all know that the Province of Quebec occupies a very exceptional position, as far as her system of Local jurisprudence is concerned. We all know that it is the only Province which is governed by the principles of the Civil Law, as amended in old

France, while all the other Provinces are governed by the principles of the English Common Law. Let us look at the *personnel* of the six Judges composing the Supreme Court. Four of them are Judges of the English Common Law, and only two of them are conversant with the principles of the Civil Law, which rule the Province of Quebec; only three know the French language, in which all or nearly all our law are written, and so one half of the Court cannot even learn our laws. I ask is it possible that, under these circumstances, the people of that Province can be satisfied to see the decisions of their Superior Court, presided over by a Judge generally of long experience, revised as they are often by the Court of Review, composed of three Judges, and finally examined by the Court of Appeal, composed of five Judges, everyone of them being lawyers of several years' standing, and familiar with the principles of our own peculiar system of jurisprudence—I say is it to be expected that the people of Quebec would be satisfied to see this Supreme Court, where only two Judges are supposed to know anything of our Local laws and customs, reverse the decisions of all these Courts? I say it is impossible that our people should be satisfied with this state of things, and that is the reason our suitors prefer the Privy Council, notwithstanding the remarks made by the hon. member for West Durham, and more particularly the fact that in one or two cases of extreme difficulty the opinion of eminent French jurists has been obtained. The members of the Privy Council are all men versed in French law, they speak fluently the language of the French jurists, and can consult and study their opinions, without being reduced to the painful necessity of having translations made for them, as has often been done for the Judges of the Supreme Court. The Privy Council is almost in the daily habit of hearing what I may term French cases, not only from Quebec, but also from St. Lucia, the British Channel Islands and other Colonies where the same system of laws prevail. I believe it would be almost impossible to remodel the constitution of that Court, so as to satisfy Quebec in ordinary appeal cases. I believe, myself, that the Supreme Court should be preserved for the purpose of dealing with constitutional

questions and difficulties arising between the Crown and the people—cases which now come before the Exchequer Court. I believe the appellate jurisdiction of the Supreme Court ought to be repealed, at least in so far as the Province of Quebec it concerned, in ordinary civil cases. However, considering that the hon. the leader of the Government has given us, this evening, the assurance that he intends during the vacation to remodel the constitution of the Supreme Court, so as to give satisfaction, not only to the Provinces governed by the principles of the English Common Law but also, and especially, to the Province of Quebec, it seems to me that it would be very hasty on our part to refuse to give the Government the time it requires maturely to consider this grave question. For that reason I shall vote for the six months' hoist.

MR. WELDON: After the very able argument of the hon. member for West Durham (Mr. Blake), I do not feel called upon to make any remarks, except as regards New Brunswick, where the work of this Court has afforded great satisfaction. As stated by the hon. member for West Durham, we had previously only a Court of first instance, and all the members of the legal profession know how essential it is to have a Court of Revision to correct the errors of the inferior Courts of first instance, and render them more careful in their judgments. In all circumstances of legal procedure, where the Court of first instance is the only Court, it is likely to become careless in its judgments; and we have found, from experience, that a Court of Revision is absolutely necessary. So far as New Brunswick is concerned, we had, at the time of the establishment of the Supreme Court, only the right of appeal to the Privy Council, at an expense, as I have known from my own experience, of £1,000 or £1,200 sterling. The consequence was that, practically, appeal was denied to the Province; and during my experience at the Bar not over three cases were carried to the Privy Council from New Brunswick. Since the establishment of the Supreme Court, we have had some fifteen or twenty appeals from that Province. Some have been confirmed, and others have been reversed, but I think, as a general rule, they have given satisfaction.

MR. GIROUARD.

We feel that this Court has been a great boon to us. Although the number of appeals might seem to be a reflection upon the soundness of the decisions of our Judges, yet, when we look at the number of appeals and reversals of judgment in the Mother Country, we cannot say that it is any reflection upon our Judges. If we look to the experience in England, we find that, out of ninety-two appeals taken from the Chancery Division to the Court of Appeal, no less than forty-eight were reversed. Yet, no one can doubt for a moment the very high legal attainments of the Master of the Rolls and the Vice-Chancellor, from whose decisions the appeals were taken. Another important advantage obtained is the uniformity of decisions secured in the different Provinces, as has been already pointed out in the case of Election Acts, and we know that the same advantage will ultimately accrue in respect to Insolvent Laws. At present, in the Provinces having jurisdiction in this matter, we find the Courts in Ontario giving one interpretation, and the Courts in the Lower Provinces, perhaps, giving another interpretation of the provisions of the Insolvent Act. By having some tribunal to which all these conflicting decisions may be referred, we shall ultimately arrive at uniformity in the jurisprudence. With regard to the objections made on behalf of the Province of Quebec, it seems to me that the people of that Province having the benefit of being represented by two out of the six Judges in that Court, have sufficient guarantees of obtaining justice under the provisions of their code. They must remember that, in taking their cases across the water, they will find no Judges learned in French Law. In going to the English Privy Council, they are going to English Common Law Judges, who have never made a special study of the doctrines of the Code Civile. I observed the other day, in one of the Lower Canada Law Journals, a very hostile criticism, delivered by Mr. Justice Ramsay, of a decision of the Privy Council, in which he stated that the English Court was entirely mistaken in its view of the law in the Province of Quebec. We ought rather to devise means of strengthening our Supreme Court by, as has been already remarked, composing it of

men who have been trained under our Constitution, who are members of our own Bar, and who have made a special study of our Constitution and jurisprudence, and then I have no doubt that all objections to this Court will disappear.

MR. McCARTHY: I listened with great pleasure to the observations which fell from my hon. friend from West Durham (Mr. Blake), in many of which I entirely concur. I think he furnished, perhaps, a sufficient justification, if any were wanted, for the course, the hon. member for East Northumberland (Mr. Keeler) has taken in introducing this Bill, in the very ample and full manner with which he exposed some weaknesses, which, in my humble judgment, that Court possesses. The question of the Supreme Court, unfortunately for its existence, has been looked upon in a double aspect. Some hon. gentlemen, perhaps, on both sides of the House, have looked at it from a political point of view. I remember, when I first had the honour of a seat in this House, one of the questions upon which the party opposite to me plumed themselves was the establishment of this Supreme Court. I remember well that, from every hustings, and on every possible opportunity, it was urged as a reason why the Administration of the hon. member for Lambton (Mr. Mackenzie) should be sustained that he had successfully introduced and passed the Bill which constituted the Supreme Court. The answer that was made then was the same which has been re-echoed to-night by the hon. member for West Durham (Mr. Blake), that that Bill had received the assent of all shades of opinion in this House, and had been matured and made as perfect as possible by the assistance of the hon. gentleman who now leads this House. Now, the hon. member for West Durham confirms that answer in the fullest way. But still the old leaven exists. My hon. friend from South Huron (Mr. Cameron) rose in his place, and, while he attempted to make a defence for this Court, his object was apparently to have a slap at the gentlemen on this side of the Chamber. It was not so much that the hon. gentleman appeared to be desirous to say anything in favour of the Court. He gave no reasons why we should desire the existence of that Court or why we should not desire its abolition; but he pointed out

what had taken place last Session in this Chamber, when the hon. member for East Northumberland (Mr. Keeler) introduced his Bill. I think he made an allusion to some observations which fell from me, and I think it is only fair to my hon. friends on this side, as well as to those on the other, to remark that what we did say we said as a justification for giving the hon. gentleman's Bill the Order for a second reading. The Bill, it will be remembered, had been already read once, and it was moved in the ordinary way that it should be set down for a second reading. It was upon that motion the discussion arose, and it was because we thought the hon. member had a right to secure for his Bill a place upon the paper for a second reading that we spoke in that sense, and it was on that occasion the hon. gentleman from North Victoria made the remarks to which allusion has been made. I do not desire to withdraw anything I said then, and I now repeat that, if we had to establish a Supreme Court at present, judging by the light of the past, I think we should hesitate before we put the country to the enormous expense which that Court has imposed upon it, and postpone to a future occasion the establishment of that great tribunal, as great tribunal it ought to be. I cordially agree with what my hon. friend from West Durham said with regard to its importance in deciding constitutional questions and settling the Election Law, and in regard to its improvement in other respects, but, after this Court has been in existence for upwards of five years, we find, so far as I recollect at the moment, that there have been but three constitutional questions in the strict sense of the term which have been decided by that Court. One of these questions was in regard to the Election Law, and, though it was very desirable that it should be settled, it was not finally settled until the matter was carried to the Privy Council, and there it was finally determined in favour of the constitutionality of the measure which was passed in this House in 1874. Another question was as to the right of the Provincial Government to issue licenses for brewers; and a third question was with regard to the right of gentlemen of the profession to which I have the honour to belong to wear silk robes after the

honour of Queen's Counsel had been conferred by a Provincial Government. But, strange as it may appear, in not one of these constitutional questions that the Supreme Court has passed upon have the people of this country been satisfied with their decision. I have already pointed out that the decision with regard to the Controverted Elections Act, was carried to the foot of the Throne, and now it is well known that the Attorney-General of Ontario is taking measures to test the validity of the decision in the Supreme Court with reference to the question of Provincial Queen's Counsel. I think it is known to the public men in this country that it was with great difficulty indeed that this same Attorney-General of the Province of Ontario, submitted to the judgment of that Court, deciding that the Provincial Government had no power to issue licenses to brewers; so that, on these three Constitutional questions, I think I am able to say that one of them has been already carried to the Privy Council; in the second, an appeal is threatened; and, in the third, the decision gave great dissatisfaction. It was said, after the great Reform Party of the Dominion established this Court, that it was a great measure of reform; and yet we find the Reform Government in Ontario preparing an appeal against its very first decision upon a Constitutional question. That may, perhaps, not be the case, yet I think it is generally understood to have been the reason why that appeal was not pressed. I think, therefore, that these facts afford ample justification for the ground I took that the measure establishing this Court was premature, although I am free to confess, as well as the hon. gentlemen opposite, that I could have concurred in the passage of that measure. With regard to the other point of my hon. friend from West Durham (Mr. Blake), I have this to say: the establishment of the Supreme Court has facilitated the right of appeal, and encouraged appeal, while, in many years in the old Province of Canada, and in Ontario, until the establishment of the Supreme Court, but very few cases were carried to the Privy Council—I believe but one, successfully. Yet we find the Supreme Court does not only give rise to what the member for South Lanark (Mr. Haggart) observed—the delay and increase of ex-

pense in the ultimate decision of cases; it produces delay before the case is finally adjudicated upon, and entails on the suitor in Ontario very heavy additional costs. Although we cannot remedy the evil here, and though the repeal of the Bill would not wholly remedy it, the remarks of the member for South Lanark are quite justified. How do we stand in Ontario? A case is brought before a Judge of first instance; then there is an appeal to a Court of three Judges, of which he is one; then comes an appeal to a Court of four Judges, our Court of Appeal. One would think there was here enough of law to decide any ordinary case: it has been decided, at that time, by eight Judges; when an appeal is still available to this fourth Court at Ottawa, and we know that, notwithstanding the legislation of this Parliament, that appeal is not final, and that, if the case merits it, or the pocket of the litigant is sufficiently long, the litigation is still further protracted by an appeal to the Privy Council. It certainly does not diminish the profits of our legal profession to have a Supreme Court at Ottawa. I am, however, prepared to say that, the Court being an accomplished fact, it is our duty to make the best of it. I trust this is the last time the question of its maintenance will come up. We are bound to point out, to the best of our ability, in what way it is not giving satisfaction—as I think it is not—and to show how it may be improved and made more satisfactory. A great deal has been said by the hon. member for South Huron (Mr. Cameron), and echoed by the hon. member for West Durham, as to this Court dealing with very large sums, and saving the country from the excessive claims of contractors. I think they are confounding the Supreme and Exchequer Courts, which are not necessarily united. It is in the Exchequer Court, presided over by one Judge, not by six, that those cases we tried, and this Court might continue altogether independent of the Supreme Court. It has been said the people owe this Court a debt of gratitude for its services, in preventing the public contractors from being overpaid. But it ought to be said what cases are meant; the statement is not complete until that information is given. But, coming back to the real

grievances connected with this Court, I have only, personally, to re-echo the remarks of the hon. member for West Durham to a very great extent; the delay of that Court is extraordinary, considering the amount of business it transacts. Speaking of the Court with which he is most familiar, the hon. gentleman stated that in the course of the year it disposed of no less than 1,500 cases. A story equally creditable, I believe, can be told of the Common Law Courts of that Province; and I know that, in the terms, when questions of law are debated, they dispose, one year with another, of fully 100 cases, and generally within thirty days of their argument. Let us contrast that with the business the Judges of the Supreme Court perform. A return showing its business for, I think, the first three or four years gives seventy-nine cases, of which fifty-three had been argued and decided, twenty-six standing for judgment, or the enormous percentage of thirty-three. I am happy to say that state of things is improved, possibly owing to the discussions in the House last Session and in the press, and that there are now but seven or eight standing for judgment, irrespective of those argued eight or ten days ago. Delay in those cases has been to the suitors a very great grievance. I may re-echo the remarks of my hon. friend the member for West Durham, on another point—the number of judgments of this Court, which are delivered, produce confusion, as well as delay. If the course suggested by the hon. gentleman were followed—and, I suppose, we have the power to require it—that is, if the decision was pronounced in one judgment—we should be now saved the necessity of having to wade through thirty or forty pages of judgments, which, instead of settling, rather confuse the law. On the question of Queen's Counsel, we know there were two opinions proclaimed. I have read in one paper, in Toronto, that it had been conclusively determined that it does not reside with the Local Government to create Queen's Counsel, while another Judge read the law through another set of spectacles, showing it had not been so determined at all. That is a matter which I think may be remedied in this House. I would suggest, to make the settlement of this question more easy, that the Exchequer Court be divided

from the Supreme Court; that one of the Judges be appointed specially to the Exchequer Court, leaving five for the Supreme Court, with appeal left to it still. The five Judges would be ample to dispose of all such business, and their attention would not be distracted by having to go on circuit, and hear and try cases in the Exchequer Court. This would, perhaps, solve some difficulties, and remove some dissatisfaction, with regard to a Court in which we all ought to take a pride as the highest in the land, possessing Judges to whom we all should look with confidence. We should all be able to say we respect the Supreme Court and it ought to be maintained. Another objection I have to make may not be very acceptable to my Lower Province friends, who have no Court of Appeal as we have in Ontario and Quebec, but who, as the hon. member for West Durham says, possess in the appeal to the Supreme Court all the moral advantage to be derived of Judges knowing that their decisions may be appealed from. But how is it with us? We suffer from the fact that cases of the most trifling character are brought to the Supreme Court from the smaller Provinces, cases for sums no larger, I believe, in some instances, than fifty dollars. If we want to respect that Court, we ought to provide that cases involving small amounts shall not be appealed to it. That was the old law in Ontario, and is the law in Quebec, where the smallest amount is \$2,000. But the Lower Provinces have no such law, and their lawyers come to Ottawa, at great expense to litigants, in cases of the most trifling import, and, instead of determining weighty matters, the six Judges are detained deciding cases of utter indifference except to the parties litigating. My object in speaking was more to make another suggestion than to criticise anything said on either side of the Chamber. A great deal of litigation arises, and heavy costs are entailed on the people, by questions of the constitutionality of Provincial Acts. I suggest that the hon. the Minister of Justice should not be asked to decide as to the character of those Acts, and if they are unconstitutional, to disallow them. We know that every disallowance, if by a party not in unison with that reigning in the Province, is looked upon with great disfavour, and that there

are sometimes very grave doubts as to whether an Act is or is not constitutional. Now, the Supreme Court ought to be called upon to determine, before expense is incurred, whether such Acts come within the powers and rights of the Provincial Legislatures. It does not seem fair that unfortunate litigants, as in certain insurance cases now before the Supreme Court, should be compelled to bear the whole expense of determining—not as to the construction of a Statute—but whether it is constitutional. If laws are open to doubt, they ought to be determined before any steps are taken under them, or capital invested on the faith of them. The cost of such decisions should fall on the Provincial Governments interested in them, and not upon private litigants. I do not regret this discussion, which, I trust, may be beneficial to the Court and the public interest. I think, with the hon. member for West Durham and the mover of the Bill, that there is no grievance the people suffer under and feel about but that ought to be discussed openly. The most complete justification is afforded to my hon. friend who introduced this Bill, and to those who assisted him by the manner in which the discussion has proceeded, and by the able, eloquent and learned address which we have heard here to-night from the hon. member for West Durham.

MR. MILLS: I cannot concur in the views expressed by the hon. gentleman who has just resumed his seat, with regard to an improvement of the Supreme Court, by the entire separation of the work of the Exchequer Court from the work performed in the Appeal division. In my opinion, there would be no advantage in such a division. I think that the views expressed by Daniel Webster, one of the greatest men of his day, and one who stood very high at the Bar in the United States, may possess considerable value on this subject. Discussing the Judicial Act, constituting the United States Supreme Court, he said that it was of the utmost consequence that its members should go on circuit; that they would thus be brought into contact with the people, and learn the manner in which the business of the country is discharged, and that they would read the law through the eyes of the people, which would be of no inconsiderable consequence to them

in the discharge of their duties. The views of Webster are so pertinent that I will read a few extracts from his speech in the discussion of this subject. He said:

“In the first place, it appears to me that such an intercourse as the Judges of the Supreme Court are enabled to have with the profession and with the people, in their respective circuits, is itself an object of no inconsiderable importance. It naturally inspires respect and confidence, and it produces a reciprocal communication of information through all the branches of the judicial department. This leads to a harmony of opinion and action. The Supreme Court, by itself, is in some measure insulated; it has not frequent occasions of contact with the community. The Bar that attends it is neither numerous nor regular in its attendance. The gentlemen who appear before it, in the character of counsel, come for the occasion and depart with the occasion. The profession is occupied mainly in the objects which engage it in its own domestic form; it belongs to the States, and their tribunals furnish its constant and principal theatre. If the Judges of the Supreme Court, therefore, are wholly withdrawn from the circuit, it appears to me there is danger of leaving them without the means of useful intercourse with other judicial characters, with the profession of which they are members, and with the public.

“These observations are strictly in point here, and they indicate one of the dangers to be avoided here, and which would be greatly increased where the suggestion of the hon. member for North Simcoe acted upon.”

These observations are strictly in point here, and they indicate one of the dangers to be avoided here, and which would be greatly increased where the suggestion of the hon. member for North Simcoe acted upon. Mr. Webster further observes:

“I think it useful that Judges should see in practice the operation of their own decisions. This will prevent theory from running too far, or refining too much.”

Also further on he says:

“But I must take the liberty of saying, that in regard to the judicial office, constancy of employment is of itself, in my judgment a good and a great good. I appeal to the conviction of the whole profession, if, as a general rule, they do not find that those Judges who decide most causes decide them best. Exercise strengthens and sharpens the faculties in this more than in almost any other employment. I would have the judicial office filled by him who is wholly a Judge, always a Judge, and nothing but a Judge.

And, in a later speech, Mr. Webster goes more fully into a discussion of this question, and points out that it is not only important that the Judges should be so

employed, but that they should be subject, by their intercourse with the community, to opinions which prevailed in the popular mind, and that they should prevent themselves from becoming rusty by the frequency of the application of the principles of the law they were called upon to administer. The hon. gentleman has said he would reduce the Supreme Court to five Judges. That means that there may be a judicial decision reversing the decisions of the various Provincial Courts by a majority of three to two. At the present time, by the constitution of the Court, you have four to two. The judgment of the Court, as at present constituted, is the same as if it were composed of seven Judges.

MR. MCCARTHY: But five constitute a quorum.

MR. MILLS: That is true; but it is not likely that a simple majority of the quorum is going to decide a very important question. It is barely possible, but it will be absolutely certain, if the hon. gentleman's views were carried out. I think that is a strong objection to the views stated by the hon. gentleman when this Act was under consideration in this House. I was, myself, strongly of the opinion that we had given to this Court an appellate jurisdiction beyond our powers. I think so still. When you look at the 107th Section of the British North America Act, you will find it provides as follows:—

“The Parliament of Canada may, notwithstanding anything in this Act, from time to time provide for the Constitution, Maintenance and Organisation 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.”

I never could understand how hon. gentlemen, reading this Act, could assume that the “General Court of Appeal for Canada” meant a general Court of Appeal for the Provinces. It is important that the laws of Canada should receive a uniform interpretation throughout the country, but the Act does not show that a New Brunswick Statute should be interpreted in the same way as a similar Statute in Ontario, nor is it necessarily of consequence that it should. It would, I think, be a great advantage if the highest Court of each Province were the last Court of resort for the decision

of all Provincial causes and of all questions, such as questions relating to real property, ejection and civil rights, growing up under Provincial legislation. It seems to me a rule of common sense that the Judicial Department of the Province should be as competent to interpret the law as a Legislative Department is to pass the law. I think we have heard the same principle laid down by the hon. member for West Durham (Mr. Blake), with regard to the importance of having a Supreme Court as the final interpreter of the laws of Canada, without going to the other side of the Atlantic.

SIR JOHN A. MACDONALD: Then my hon. friend must vote for the repeal, if it is unconstitutional.

MR. MILLS: No; that question may be settled by the Court itself, when it is raised before the Court, or by an amendment to the Act. Apart from the question of the constitutionality of this Provincial appellate power, as a question of political expediency, it is important that the ultimate tribunal for the decision of Provincial questions, in order to prevent unnecessary litigation and useless expense, should be within the Province. It is important that the highest Court of each Province should be the last Court of resort for the administration of the laws of that Province. The system pursued in the United States would, I think, be a safe and proper rule to adopt here. I think, Sir, it will be a very great mistake to deprive the Judges from obtaining the experience they are constantly acquiring, by the decisions they are required to give as a Court of Exchequer. I do not think that they are likely to be overworked for some time to come, and it will, no doubt, be a very great advantage to the public to have a judicial interpretation of contracts by this tribunal, rather than have them interpreted by Boards of Arbitration, which will be always more or less subject to political pressure. I have no doubt the public have already largely gained by the existence of this Court as a Court of original jurisdiction. I have no doubt, also, that the country has largely gained by the establishment of this Court as the last Court to resort to for the interpretation of the laws of Canada, and I believe that experience will point out the expediency of confining the appellate jurisdiction to its



jurisdiction as a General Court of Appeal for Canada, as the words of the Statute imply, and not a general Court of Appeal for the Provinces, with which it has no immediate connection. We are told, in this Constitution, under which the Government of this country is being carried on, that it is established on a Federal principle. Now, the very idea of federation is the Government in which all the Departments of the Government are connected with each other; and that one Department shall not be made broader or more comprehensive than another, except by express words in the Constitution, too clear to admit of being questioned. Judicial decisions upon Provincial matters, in so far as they construe and interpret the Local law, must be taken as a part of the Provincial Statute law, and the Parliament of Canada can no more create a Court to alter that construction than it can legislate upon the subjects assigned to the Local Legislatures.

Mr. BOULTBEE: I had early in this debate a conviction that I had for a long while pressed upon me by my constituents, that this Court does not serve a purpose sufficiently useful to counterbalance the expense incurred. But anyone who has sat here this evening, and heard able members of the Bar defend it, and listened to the arguments of hon. gentlemen who wish to support the Court, must have become convinced that it ought to be abolished at once. All the hon. gentlemen who have spoken in favour of the Court, have found new cases of complaint against it, and, if we were to entertain all the arguments of the supporters of the Court, we should be committing a crime in not abolishing it to-night. We ought not to allow it to continue if it is as great an evil as it is said to be. It is difficult to understand the arguments of these hon. gentlemen who support the Court. The hon. member for West Durham (Mr. Blake) thinks it is full of evils, yet he regards it as a better Court than the Court of last resort in England, which we have been taught to believe is a pure fountain of the highest law. Yet the hon. member for West Durham has got a low opinion of the legal talent of England. Notwithstanding, I think that in certain cases of great importance it is worth while to go to the expense of getting the best decisions

that can be got in the world. What the particular views of the last gentleman that spoke, the member for Bothwell (Mr. Mills), were, I cannot exactly divine. They were too subtle for my understanding. He expressed a desire to keep the Judges in training, and he read from some American author to show that a Judge should always be a Judge. But, at the same time, he wants to deprive the Court of three-fourths of its work. He desires to eliminate from it a jurisdiction over matters pertaining to the various Provinces. If the Court is of any use, it is to decide these matters. But, perhaps, I do not understand the hon. gentleman clearly. His argument seemed to be, in a measure, involved. But this I do understand, and the House will have to understand it, and the present Government, and any Government that follows the present Government will have to understand, that the people of this country, and especially the people of Ontario, have a fixed conviction, which is gaining strength every day, that, in seeking to redress a wrong or enforce a right, our system is needlessly cumbersome, tedious and expensive. We are depriving the poor man from getting what every man under our system ought to get, that is, justice. The hon. member for West Durham (Mr. Blake) makes use of the argument that but a small number of cases are carried into these Courts of Appeal. That, however, is not the only matter to be considered in this connection. In a country like this, where the amount involved is generally small, and where the litigants are generally of small means, when a man is in litigation with a railway or an insurance company, or a rich mercantile house, he is obliged to give up half his rights and come to terms of compromise for fear of being taken from one of these Courts to another. So a greater evil permeates our whole business system than is observable from the actual number carried to the Courts of Appeal. I take issue with the hon. member for West Durham (Mr. Blake), when he says that the fact of having this Supreme Court makes our Judges more careful in the administration of the law in their own Courts. My experience is to the contrary. It is not an uncommon thing to hear in our Courts, when a case of more than ordinary interest is argued, one of the Judges in the

Court say : " Oh, we suppose this case will be carried to appeal ; it is not worth while troubling more about it, and going to the labour of looking into the matter. It will be taken to the Supreme Court, and there argued *in extenso*." To my mind, no matter whether there are the advantages which these gentlemen say there are attached to the fact of having a Supreme Court—and no man can deny that there are these advantages—yet, if the people of the country arrive at a fixed opinion that this higher Court of Appeal does not serve a useful object, it will be the duty of the Government to give effect to the wishes of the people. It will be their duty either to abolish the Court, or make such a change in it as will suit the views of their constituents. Though in favour of doing away with this Court, I do not think it could be usefully done away with, or properly dealt with, by the present Bill, which provides no means, after the Court is abolished, for deciding questions which must be left to some Court to decide, nor even of carrying on the cases now before the Court, and being fully satisfied that when such a measure is brought in, the Government must assume the responsibility of it, I shall vote in favour of the amendment of the hon. member for West Durham (Mr. Blake).

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, in view of those inconveniences the hon. the Prime Minister referred when he stated that the Government would make it their business, during the Recess, to endeavour 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 trust, therefore, under these circumstances, that hon. members will feel that they must give the Government time for mature deliberation on the measure they intend to prepare, in order to meet their views, and I feel sure they will not then have the same grounds for voting against the measure which will be presented to them, that but for that promised measure, they would, this evening, have for voting against the Supreme Court Act.

MR. DESJARDINS : It was my intention to vote in favour of the Bill of the hon. member for East Northumberland (Mr. Keeler), for the reasons which I expressed on the subject in the course of last Session. The Supreme Court, as now constituted, in no way meets the views of the population of the Province of Quebec as a Court of Appeal in civil matters. As has been remarked by the hon. Minister who has just spoken, that Court, as now constituted, does not afford all the guarantees which we are entitled to expect from a Supreme Court. The Court

of Queen's Bench (Appeal Side) which we have in that Province is greatly superior to it, and commands greater confidence among suitors, because the five Judges who compose that Court are thoroughly conversant with our laws; wherein, the majority of the six Judges of which the Supreme Court is composed do not possess the qualifications of our Court of Appeal and of our Superior Court. Thus, as I pointed out, last year, in order to be qualified for a seat on the Bench in the Province of Quebec, the aspirant must first have studied our Civil Law for four years, and then have practised as an advocate for ten years; and, until those two periods have elapsed, no advocate can be called to a seat on the Bench. In the Supreme Court, which has the right either to reverse or to confirm the judgments rendered by our Courts in the Province of Quebec, only two of the six Judges possess the qualifications required by our Judges in civic jurisdiction. Still, Sir, after the assurance which the hon. the Prime Minister gave us this afternoon, and which has just been repeated by the hon. the Minister of Public Works, I am of opinion that members of this House from the Province of Quebec should be satisfied, and we have every reason to believe that the Government, in response to our expectation, will, next Session, bring forward such a modification of the constitution of the Supreme Court as will meet the wishes of our constituents. If, therefore, Sir, the hon. mover of the Bill now under consideration, not contented with the assurances of the Government, continues to urge its adoption, it will be my duty to vote against the motion for the second reading and to await the presentation of the Government measure before taking action.

MR. BÉCHARD: Before voting this evening on the measure now under discussion by the House, I desire to offer a few words in explanation of my motives for the vote I shall give. When the Bill organising the Supreme Court was adopted by the Parliament of Canada, I voted against the measure, not because I was opposed to the establishment of a Supreme Court cases in appeal which had dination whatever to support that provision of the Bill which submitted to the supreme Court cases in appeal which had

been adjudicated upon in the Courts of first instance, in accordance with the provisions of the Civil Code in the Province of Quebec. That was my reason for voting against the Bill when it was submitted to the House. I would have voted for a Supreme Court, taking cognisance only of cases resulting from the operation of Dominion Laws, and of cases involving constitutional questions. Last year, I voted for the first reading of the Bill introduced by the hon. member for East Northumberland (Mr. Keeler), but I must say, after the explanations just given by the hon. the Minister of Public Works, who promises a reform in the organisation of the Supreme Court, of such a nature as to satisfy public opinion in the Province of Quebec, I am disposed to adopt the position taken by the Ministry—following the lead of my hon. friend from West Durham—and vote against the second reading of the Bill introduced by the hon. member for East Northumberland. The hon. member's Bill is a radical measure, calculated to overthrow one of the established institutions of the country. I am not a Radical, but a Liberal of the English School, and I am strongly opposed to his measure.

MR. LANDRY: The hon. member for Iberville (Mr. Béchard) does not surprise me when he says that the measure brought forward for the abolition of the Supreme Court is a radical one. I think he recognises in it one of his progeny, politically speaking; but what does surprise me is that, after such a declaration, the hon. member has not the courage to record his vote in favour of the abolition of the Court. But, after all, in this world we are liable every day to great surprises, and, if the hon. member for Iberville prepares one for us by saying that he will to-day vote for the Government, although the Government is not concerned in the question, you will not be surprised, Sir, to see that I shall, to-night, record an opposite vote. I must say, and this is an explanation of the vote I am about to record, that, when the general elections took place—I allude especially to the county of Montmagny—we had to undergo a violent struggle with the speakers of the Liberal party, and, in that struggle, as in those which took place at the time in all the other counties, we raised our voices strongly against the Supreme Court. We

made promises to the electors, telling them that we would vote against the Supreme Court, and I think that, under existing circumstances, it is our duty to keep our word. The Government, through the hon. the Minister of Public Works, has just told us that they will, during the Recess, consider as to the steps to be adopted to ameliorate the position of the Province of Quebec in relation to that Court. Well, Sir, we wish to make the Government work more easy in that respect, and I think that, if we were all now to vote for the abolition of the Supreme Court, the Government, having elbow-room, would be in a position to inaugurate magnificent reforms. I think, from that point of view, that we shall quite as well assist the Government as those who are about to vote for the amendment proposed by the hon. member for West Durham (Mr. Blake). We have no wish to impute blame to the Government for the position which it has assumed in respect of this measure. On the contrary, we merely wish to assist them, and to contribute—in a negative way, it is true, but in one not the less efficacious—to the re-organisation of the Supreme Court, so that the Province of Quebec, and the whole Dominion, may experience the best results. I had not the pleasure of being present in the House when the hon. member for Bagot (Mr. Mousseau) delivered his speech, His Excellency having required my presence at Rideau Hall. I have no doubt that the hon. member adduced in favour of the abolition of the Supreme Court all the arguments which I could myself have done, had I spoken in his stead. For these reasons, it is not necessary for me to make a long speech, and I shall confine myself to saying that it is my intention to vote for the Bill brought in by the hon. member for East Northumberland, and, that I may do so, I must vote against the amendment proposed by the hon. member for West Durham.

Motion made and question proposed :

That the said Bill be not now read the second time, but that it be read the second time this day six months.—(Mr. Blake.)

The House divided :—Yeas, 148 ; nays, 29.

YEAS :

Messieurs

Abbott  
Allison  
Kilvert  
King

Angers	Kirkpatrick
Anglin	Kranz
Arkell	Lane
Baby	Langevin
Bain	Laurier
Baker	Longley
Bannerman	Macdonald (Kngs, P.E.I.)
Barnard	Macdonald, (Vict B.C.)
Beauchesne	McDonald (C. Breton)
Béchar	McDonald (Picton)
Benoit	McDonald (Vict. N. S.)
Bergin	MacDonnell (Inverness)
Bill	Maekenzie
Blake	Macmillan
Bolduc	McCallum
Boulton	McCarthy.
Bourbeau	McCuaig
Bowell	McGreevy
Brecken	McInnes
Brooks	McIsaac
Bunster	McKay
Burnham	McLennan
Burpee (St. John)	McRory
Burpee (Sunbury)	Malouin
Cameron (South Huron)	Masson
Cameron (N. Victoria)	Méthot
Caron	Mills
Cartwright	Muttart
Casey	Ogden
Casgrain	Oliver
Chandler	Paterson (S. Brant)
Charlton	Perrault
Chimon	Pickard
Cockburn (Muskoka)	Platt
Colby	Plumb
Connell	Pope (Compton)
Costigan	Pope (Queens, P.E.I.)
Coughlin	Poupore
Currier	Richey
Daly	Robertson (Hamilton)
Dawson	Robertson (Shelburne)
DeCosmos	Robinson
Desaulniers	Rogers
Desjardins	Ross (Dundas)
Doull	Ross (West Middlesex)
Drew	Rouleau
Dugas	Royal
Elliott	Ryan (Marquette)
Farrow	Rymal
Ferguson	Scriver
Fitzsimmons	Shaw
Fleming	Skinner
Flynn	Smith (Sol Kirk)
Gault	Smith (Westmoreland)
Geoffrion	Snowball
Gillies	Sproule
Gillmor	Stephenson
Girouard (Jacq. Cartier)	Tassé
Girouard (Kent, N. B.)	Thompson (Cariboo)
Gunn	Thompson (Haldimand)
Guthrie	Tilley
Hackett	Trow
Hay	Tupper
Hesson	Vallée
Hilliard	Wallace (South Norfolk)
Holton	Weldon
Houde	White (Cardwell)
Huntington	White (North Renfrew)
Hurteau	Williams
Jackson	Wiser
Jones	Wright
Killam	Yeo—148.

## NAYS :

## Messieurs

Bergeron	Massue
Bourassa	Merner
Coupaï	Montplaisir
Cuthbert	Mousseau
Daoust	Olivier
Dumont	Ouimet
Fiset	Pinsoaneault
Fortin	Rinfret
Gigault	Routhier
Grandbois	Rykert
Kaulbach	Tellier
Keeler	Vanasse
Landry	Wallace (West York)
LaRue	White, (E. Hastings)—29.
Little	

## PAIRS :

For—	Against—
Domville	McQuade

Question resolved in the *affirmative*.

## SUPPLY—THE ESTIMATES.

## QUESTION.

MR. MACKENZIE: I would like to enquire when it is expected that the Budget Speech will be made, and when the Estimates will be brought down.

SIR SAMUEL L. TILLEY: It is not possible, at the present moment, to state when the Budget Speech will be made. Very much depends upon the returns asked for by hon. members. As far as the Budget Speech is concerned, it is very important that both sides of the House should have them before entering into any discussion. They are being prepared with all expedition. The Estimates will not be before the House until the middle of next week.

SIR RICHARD J. CARTWRIGHT: We would dispense with the returns in order to get the Budget. During the four or five years that we had the administration of affairs, on no occasion was the Budget delayed beyond the present stage of the Session. There is no possibility of doing any real business until we get the Estimates and the Budget. Expenses will be unnecessarily increased by keeping us in Session longer than we otherwise might be, or the time for doing the real work of the Session will be less, for no real business can be done until we get the Budget.

House adjourned at

Fifteen minutes after

Eleven o'clock.

## HOUSE OF COMMONS.

Friday, 27th February, 1880.

The Speaker took the Chair at Three o'clock.

## PRAYERS.

## BILLS INTRODUCED.

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

Bill (No. 39) To incorporate the Montreal and Province Line Railway Company.—(Mr. Sriver.)

Bill (No. 40) To incorporate the Mail Printing Company.—(Mr. McCarthy.)

## COMMON ASSAULTS DEFENDANTS

## WITNESSES ACT AMENDMENT BILL.

(Mr. McCarthy.)

## FIRST READING.

MR. MCCARTHY introduced a Bill (No. 41) To amend an Act to provide that persons charged with common assault shall be competent as witnesses. He said: Two years ago, an Act was passed permitting defendants to be examined as witnesses in cases of common assault, no matter whether tried on information in a summary manner or on indictment. So long as the charge was one of common assault, the parties to the proceeding were entitled to be called as witnesses either by the Crown or on their own behalf. By some means or other, a proviso seems to have slipped into the third clause of the Act, to the effect that, where an indictment includes a charge of a graver nature, such as an aggravated assault, the defendant may not be called as a witness, even if the Judge, at the close of the case for the Crown, thinks there is no graver charge made out than one of common assault. The first part of the clause indicates that where the charge, in the opinion of the Judge, is nothing more than one of common assault, the defendant may be called as a witness; but the proviso says that this provision shall not be applied to a case where a jury is empanelled. I am unable to understand how that proviso ever came to be a part of the section. I cannot understand the reason therefor, and I know of one case at least in which it worked a very great hardship. The practice is that, if a case is being tried before a County

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Court Judge under the provisions for the speedy trial of offences, and at the end of the case for the Crown the Judge thinks no greater charge can be sustained than that of common assault, the defendant may be called as a witness; but, if the case is tried at the Sessions or Assizes before a jury, and the Judge is of that opinion, the defendant's mouth is closed, and he cannot be called as a witness in his own behalf. I am unable to understand the meaning of this difference. I think it is unfair to the defendant, and I therefore desire to repeal the proviso.

MR. BLAKE: I cannot say, at the moment, that I remember the ground that was given in the House for the introduction of that proviso. The Bill was in the hands of a private member, and it was referred to a Select Committee, composed almost exclusively of lawyers. They reported it with that proviso, and I have no doubt they had some good reason for it. I think we had better, as far as we can, re-appoint the Committee and let them find out what that reason was.

MR. McCARTHY: I think it was a technical reason, probably that, while the Judge trying the matter might make up his mind, at the close of the case, that there was no graver charge, still the jury might not arrive at that conclusion. But I do not think we ought any longer to allow that proviso to remain.

*Bill read the first time.*

#### STOCK BROKERS REGULATION BILL.

(*Mr. Girouard, Jacques Cartier.*)

##### FIRST READING.

MR. GIROUARD (*Jacques Cartier*) introduced a Bill (No. 42) To regulate stock brokers and suppress gambling in stocks. He said: I propose, by this Bill, to introduce the same provisions which are contained in the Bill which I had the honour to introduce last Session. It is well known that in this country very few limitations exist regarding the transactions of stock-brokers. It is well known, also, that, for a couple of centuries at least, in Great Britain, limitations have been in existence, obliging stock-brokers to give the names of their clients, when they either sell or purchase stock. At the same time, regulations were made providing that stock-brokers were to be licensed

by the city corporation of London. The same regulation exists all through Europe, and among other places at the Stock Exchange both at Paris and Berlin. I propose, therefore, to introduce in this Bill the same provisions which are contained in the Bill of last Session.

*Bill read the first time.*

#### "PUBLIC SERVICE REFORM BILL.

(*Mr. Casey.*)

##### FIRST READING.

MR. CASEY introduced a Bill (No. 43) To ensure the better qualification of public servants, and the greater efficiency and economy of the Public Service. He said: I had not intended to introduce this Bill this Session, in view of the fact that the measure deals with the same subject which was promised to be dealt with by the Government; but the other night we were informed by the leader of the Government that he had no objection to seeing measures that were mentioned in the Speech from the Throne introduced by private members on either side of the House, so long as they were in general agreement with those the Government intended to introduce. As the hon. gentleman who moved the Address gave us to understand that the Government measure would be in the direction of remodelling our service upon that of England, in regard to the introduction of competitive examinations, and, as that is the tendency of the Bill I have introduced, I am sure the Government will have no objection to my bringing in that Bill. Of course, I do not ask those gentlemen to take up the Bill exactly as it stands, or authorise me to put it through, but it may be useful for comparison with any other they may choose to bring down. On asking the right hon. gentleman the leader of the Government, on Thursday, when their measure might be expected to come down, I received the answer that it would be "ere long." We hope to be away from this capital "ere long," and it is quite possible that the Government measure might not be down until a late period in the Session, as Government measures are sometimes apt to be delayed in making their appearance. I thought it better, therefore, to secure the correctness of the

prediction made by the right hon. the Premier in the Speech from the Throne, to the effect that there would be a discussion on this subject during the Session. Thinking it better to have that discussion at an early period in the Session, I have concluded to introduce this Bill.

*Bill read the first time.*

BRITISH COLUMBIA SUPREME COURT  
JUDGES BILL.

(*Mr. McDonald, Pictou.*)

FIRST READING.

Order for receiving report of Committee of the Whole on resolutions respecting the better Administration of Justice Act, 1878, of British Columbia, and to make provision for the salaries of two additional Judges of the Supreme Court of British Columbia, *read.*

**MR. BLAKE:** My hon. friend the Minister of Justice has been good enough to supply me with the statements promised at the last stage, and I propose to make a few further observations on the measure, founded chiefly upon the considerations which are to be derived from these documents. It will be recollected that the First Minister, while admitting the correctness in a general sense of the views that were expressed from this side of the House, pointed out that there was nothing but a general statement, that there were no details from which the House could satisfactorily form an impression adverse to the proposal, and he asked that almost conclusive weight should be given to the view of the Legislature. Since then some additional evidence of the mischievous tendency of the view which has been repeatedly expressed by that hon. gentleman, as to the supreme weight to be given to the opinions of Local authorities upon these subjects, has come into my possession. I observe that, in Nova Scotia, with whose judicial system the hon. the Minister of Justice must be familiar, a Province which has received considerable accessions within a short space of time to the number of its Judges, the Bar Society has passed a resolution declaring that the interests of the Province demand the further addition of two members to the Supreme Court. I have little doubt that, so long as we lay down the principle that this Government is to be guided by whatever the Local Legislature decides to be necessary in the matter of the creation of Judgeships, so

**MR. CASEY.**

long we will find them making extremely liberal appropriations of our moneys. It is probable, at any rate possible, that the Legislature of Nova Scotia may follow the views of the Bar in that Province, and that you may soon be called upon to meet this question, weakened in your position by the reiteration of the doctrine to which I have referred. Now, the case of British Columbia has always been regarded as exceptional, in considering the various proposals which have been made during the last few years past to remodel that Judiciary. They have all been based upon the preliminary assumption that the existing County Court Judges must be pensioned off and replaced by professional men. I am not, I think, asking the Government to take any extreme unprecedented course when I ask them to consider that circumstance as very exceptional and therefore demanding exceptional treatment. It is to be remembered that no less, I think, than four, certainly three, Local Acts proposing changes in the judicial system, embracing the retirement on pensions of the existing County Court Judges, have been disallowed by the Canadian Executive. We have decided, year after year, without adverse comment upon our course in Parliament, that, where the proposal of the Local Legislature was so extreme as to require us, in order to increase the Judiciary, to pension off those whom they themselves, in their capacity as an independent Province, had placed upon the Bench, we should decline the proposal. Now, from the papers, you will find that the Bar Society of Nova Scotia has not been singular in passing resolutions upon such subjects. In 1875, the Bar Society of British Columbia decided "that the proposal to fill up vacancies in the Bench of the County Court by appointees from any Bar other than the Bar of British Columbia is not in accordance with the opinions of this meeting, it being considered that such appointments should be made from the Local Bar; and further, that the British North America Act contemplates that the judicial department should be so filled up." That was part of the proceedings of a meeting favouring the superannuation of the County Court Judges, and their replacement by some disinterested members of the society which passed this disinterested resolution. A report from the Department of Justice,

approved in Council in October, 1876, in answer to a remonstrance from British Columbia, with reference to not filling up the vacancy occasioned by the decease of Mr. Justice Bushby, says :

“There are living on Vancouver’s Island three Supreme Court Judges and three County Court Judges, while there are residing on the mainland only two County Court Judges.”

And adds, that it is the opinion of the Government that the present judicial staff might be reduced, and suggestions are now made as to a modification of the arrangements which would enable the County Court Judges to carry on the business. Well, Sir, in 1877, a further important correspondence ensued. A proposal was made by the Government of British Columbia to that of Canada that, a Bill having been introduced in the Local Legislature, having for its object the creation of County Court judicial districts, and the appointment of four professional men as Judges in the County Courts in place of the non-professional incumbents, the Canadian Government should make provision for the salaries of the new appointees, and for the superannuation of the retiring officers. The whole subject was discussed in a report, approved in Council, which concluded thus:—

“Considering the enormous cost of the administration of justice in British Columbia, I think it would not be right to propose to Parliament to pension the present Judges, with a view to making new appointments; and it appears to me that the plan of the Local Government should embrace two main propositions : (1) the continued utilisation of the existing staff; (2) such changes in the system as may increase the utility of that staff. I cannot but think that even less than five County Court Judges and three Supreme Court Judges would, under a proper system, reasonably supply the wants of British Columbia.”

Now, Sir, there was a correspondence which took place with the learned Judges of the Supreme Court, with a view to obtain some suggestions which might result in concerted action between the Governments of Canada and British Columbia, by which the judicial staff might be more satisfactorily arranged, without involving the enormous relative expense to which I have referred. In the course of that correspondence, statements were made by some of the Judges which are not immaterial, I think, to the present considera-

tion. One of them points out that the Executive of the Province had been charged, for a long period, with the duty of fixing the time when circuits should be held, and it was not unreasonable that British Columbia, having a very migratory and transitory population, which distributed itself in different localities, as the mining interests might be prosperous or dull, there should be some elasticity in the system. The check upon the Executive used to be that they had to obtain from the Local Legislature the supplies for the circuit which they ordered to be held, but it is obvious that after Confederation, when it was for the Local Executive to order the Circuit, and for this Parliament to pay the cost, that wholesome check disappeared, and the natural results followed. The letter says :

“Since Confederation, however, other considerations than those which would operate on the mind of a Judge have occasionally offered themselves to the Executive, and two or three Circuits have been held which the Judges would certainly not have undertaken of their own accord, at least not at the times which seemed good to the Executive.”

The Judges were asked to advise with reference to the County Court system, and competency of those Judges, and they expressed opinions on that subject which seem to be extremely important in considering the propriety of superannuating those gentlemen in the prime of life, and in the fulness of their vigour, for the purpose of replacing them with new men to be paid for out of the moneys of the Canadian people. One Judge says :

“The County Court Judges have been acting, all of them since 1867, and, though not legally trained, are all men of sound intelligence, good common sense, and strict integrity. They have always given satisfaction and no word of complaint was heard till after the death of Mr. Bushby.”

And he proceeds to explain how easily a re-arrangement would have obviated this complaint. He goes on to say :

“As to utilising the present staff, a more excellent set of men, non-professional, could not be found. No doubt it would be better to have able professional men, but, if the question is directly put, do the necessities of the administration of justice require that these men should be pensioned and removed, it must be answered in the negative.”

Another Judge says :

“I think that the present body of men better command public respect, and do their work



more efficiently, than any set of men you are likely to be able to procure for the same salaries, or nearly the same salaries; and, certainly, are far better than any set of men you can procure here. \* \* \* All the present men have had many years' schooling on the Bench, though none of them were trained to the law in their youth; they have been the main stay of the colony from very early years up to 1871. They are all men of about forty or forty-five years of age, highly honourable, of good sense and experience. Their decisions are very seldom appealed."

And the third Supreme Court Judge expressed similar opinions as to the County Court Judges. There is also in this correspondence a statement which I repeat from memory, pointing out the different condition of things in the interior of the mainland as compared with Victoria. This is of extreme importance, because, in view of the Act of the last Session by the Local Legislature, I see, and my hon. friend, on consideration will see, that it will be impossible for him practically to carry out his plan. The fact that is, in the remoter parts, the inconveniences of situation, the absence of accommodation, the distance from all civilised society, the climate, and the enormously enhanced expense of living, will always render it necessary that the Judge assigned to the inland district should receive an extra allowance of at least one thousand dollars a year. The reasonableness of that view is proved by experience. The Judge who now resides in the Cariboo district, is now, as that Judge always has been, in the receipt of that extra allowance. Now, you are called upon to provide for the residence of several Judges, in various parts of British Columbia, of whom three are to be on the mainland, and of these two in the interior. I call my hon. friend's attention to this, because it is obvious that British Columbia will not be satisfied, unless the provisions of the last Act are executed. The added responsibility which will thus devolve on Canada is of no small importance. While my hon. friend was justified, last year, by the Local legislation which had then taken place, in proposing to this House, as a measure which would meet the demands of British Columbia, to grant \$4,000 a year each, for the salary of two Judges, the late Act makes all the difference in the world. You have three Supreme Court Judges now residing in

Victoria, the capital city. The correspondence shows the advantages of residing there, as compared with any other place in the Province, and particularly with the far interior of the mainland. You will now be called upon to take at least one of the existing Judges from Victoria and station him on the mainland. If you remove him to the least inconvenient place, perhaps to New Westminster, you cannot justly do so without adding to his salary. You have to find two other Judges to reside inland, one of them in the remote district of Cariboo at Barkerville. For this you must pay the extra allowance which has always been considered necessary, in order to enable a man to live there. Therefore, what the British Columbia Legislature now proposes to us is a thing that cannot be accomplished under the terms of my hon. friend's Bill, and he will probably find it necessary, if the resolutions become law, to come down to us very soon, saying: We are unable to work out the plan; we must pay more in order to carry it out to the satisfaction of British Columbia. My hon. friend must, sooner or later, take authority to remove one of the Judges, and to pay more money than he now proposes for the service. I quite agree that there should be some local administration of justice in the remotest parts of that country, so far as, under its peculiar circumstances, this can be secured. If you to-day establish, with this Local law before you, a Supreme Court, on the theory that you are going to leave them all in Victoria, your theory will fail. If you substitute only two for the five existing Judges you remove, you are lessening the means of supplying Local Courts throughout the Province, and you will soon be required to make more Judges in order to give the benefits of a local administration of justice, to the extent possible with the present staff. The Kootenay and Cassiar circuits, the most distant of all, are, by the late Local Act, properly assigned to the Victoria district, to be served by the two Judges who reside there. As to that, I have a remark of a serious character to make. Hon. gentlemen have taken exception to the infrequency of Assizes in that country, but it will be found, from the figures with which I am about to trouble the House,

that not much injustice has been suffered by the people of British Columbia in that regard. But there is a real difficulty with regard to the transaction of business involving the transport of prisoners from Cassiar and Kootenay. To-day it is practically impossible to transport prisoners from that part of the interior to Victoria, the only place where they can be imprisoned for any length of time, there being no suitable jails or facilities in Cassiar or Kootenay. These are places in which the climate is rigorous, and the population fluctuating. In winter, these mountain places are deserted, except by forty or fifty persons who remain to guard the store-houses and watch some of the mining claims. So long as you are fortunate enough to have a case that may be disposed of summarily, you may arrange it on the spot; but, if you have a serious case, it is impossible there to dispose of it. There is, therefore, less reason for holding Assizes in Cassiar and Kootenay, until some means are provided by the Local Government for the carrying out of sentences of imprisonment, since it is now impossible to transport prisoners to Victoria, over the Stickeen and through United States Territory. When we reflect that the cost of an Assize is from \$2,000 to \$3,000, we shall see that this, under the circumstances I have stated, is a comparatively large expense to incur for a comparatively small object. I shall trouble the House with some figures to enable it to judge how far the judicial business of British Columbia demands the establishment of the proposed plan. The amount of business performed on circuits by the Supreme Court Judges is embraced in the returns furnished by the Minister of Justice. The Victoria business is not given. In 1870-71 the Supreme Court in British Columbia held on circuit twelve Courts; at those twelve Courts there were tried thirty-three matters, at an expense for travelling of the Judge only of \$2,514.03, or \$76 for every case tried. In 1871-2 thirteen Courts were held, at which thirty-nine cases were tried, or three for each, at a travelling expense of \$3,394.74, or \$87 a case. In 1872-3 there were fifteen Courts, which tried fifty-one cases, at an expense of \$2,565.18. In 1873-4: Courts, eighteen; cases, forty-eight; expenses, \$8,417.92. This gives less than three

cases a Court, and \$179 a case. The new régime had produced its fruits. In 1874-5 there were: Courts, fifteen; cases, thirty-two; expenses, \$7,250.77—just over two cases a Court, and \$226 a case, for the travelling expenses. In 1875-6 the Courts numbered sixteen; cases, twenty-nine—less than two a Court, with a total expense of \$5,578.60, or \$192 a case. Thus, while the business was diminishing, the expenses were increasing. For 1876-7, and subsequent years, the returns are not complete, but such as they are they furnish no indication that the amount of business had increased in those years. But in 1876-7 we called attention to the frightful increase, and managed by stringent measures to pull them up a bit, and the expenses, I am glad to say, were very considerably reduced. For 1876-7 it was \$4,569; for 1877-8, \$2,956; and for 1878-9, \$3,954. This reform was accomplished by very considerable reductions in the cost of travelling, and by not holding some circuits, which the hon. member for Victoria (Mr. DeCosmos) says was a great calamity, which he insists shall never recur, so that, if your proposed plan is to be adopted, you must expect this travelling system to continue to run up to a large amount. Let me give you a statement of the travelling expenses of the two Courts, the Supreme and County Courts. In 1870-71, their total expenses for travelling were \$5,428; in 1871-2, the return is imperfect; 1873-4 \$10,472; 1874-5, \$11,781; 1875-6, \$10,938; 1876-7, \$7,278; 1877-8, \$5,672; 1878-9, \$7,034. These figures are given by the Deputy-Auditor of British Columbia in the return the hon. the Minister of Justice has furnished. If I have given the amounts as they appear in the Public Accounts, they would stand thus: 1871-2, \$2,972; 1872-3, \$6,720.61; 1873-4, \$11,722.30; 1874-5, \$12,400; 1875-6, \$11,826. With reference to the amount of business done by those Courts, we have not got a detailed return for the later years. I have given you the gross amount of circuit business transacted by the Supreme Court in the earlier years. The partial returns for the later years show that in Nanaimo two Courts were held in 1877, but there was no civil business. There were but four criminal cases, besides two indictments against one of the parties not prosecuted. In

1878, two Courts were held in Nanaimo, there being no business at all at one of them, and no civil business at the other, and five criminal cases, all against Chinese; and four for an offence which the member for Vancouver (Mr. Bunster) may not deem very heinous—gaming. The travelling expense was eighty-one dollars and fifty cents per Court. Thus in two years, in Nanaimo, there were four Courts, with no civil business at any, and criminal business of an extremely trifling character. In New Westminster there were two Courts, at one no civil case and but six criminal cases. Another Court was held for Clinton and New Westminster, at which there were no civil and but six criminal cases, five against Indians and Chinamen. In Cassiar, a Court was held in 1879, at a cost of over \$1,000 for travelling. It tried eight County Court inferior cases, the total value of the subject matter in dispute being \$940, and two criminal cases were tried and one postponed. In the Cariboo Circuit, the Court held in August, 1878, cost \$1,601.25; no civil cases were tried, one appeal went off; one action on account was referred; there were six probate cases and sixteen criminal cases. Those figures indicate that the civil business on the mainland in these circuits is *nil*, that there is no Superior Court civil business at all; and one of the Judges explains that by a circumstance which, I admit, renders the mainland of British Columbia a happy land indeed—though it may not be complimentary to my profession to say so—he says there are no lawyers on the whole mainland. How are you to expect me, he asks, in a voice of complaint, to provide you with cases when I have not a lawyer? He adds, there is not business enough on which a lawyer could live.

AN HON. MEMBER: There are two.

MR. BLAKE: I do not know. I am only repeating the Judge's statement. With reference to the County Courts for Yale and New Westminster, in the circuits from May, 1877, to July, 1878, the expense for travelling was \$2,168. The Judge tried 128 cases, the total amount involved being \$15,352, or an average of less than \$120 a case. There were but twelve criminal appeals in the whole of those Courts. From August, 1878, to August, 1879, the travelling expense was \$2,378; cases tried, 181; amount in-

involved, \$20,008, or an average of less than \$111 a case; there were only seven appeals. I wish to call special attention to Lillooet. For 1878, there were ten circuits. The Judge travelled up ten times, and held Court there at an expense of \$410. He tried thirty-two cases, or on an average, three cases a Court, the amount being under \$148 a case. There were but two criminal appeals. Now to provide, practically, a monthly Court in order to try in a whole year thirty-two cases of this trifling value, is wanton extravagance. Lillooet was, as one of the Judges says, once a very important place, containing many people. It was quite reasonable then, I dare say, to hold there a monthly Court; but the place has dwindled to almost nothing. There are few transactions there, but yet the system of monthly Courts is maintained. But Comox caps the climax. The County Court system there entails a residence of the Judge during each Court for fourteen days; the steamer touches only every alternate week, and the Judge must remain there for the whole period. In March, 1877, he went to Comox, and charged six dollars and fifty cents for the steamer fare, and eighty dollars for travelling allowance, being five dollars a day for the sixteen days. He opened his Court, and, thirteen days afterwards, closed it with all due solemnity, and how much business did he do? Just nothing at all. In July, 1877, animated by a stern sense of duty, and in obedience to the orders of the Executive, he held his next Court for fourteen days, during which the business was *nil*; in September, 1877, the like. In December, 1877, there were two cases to try, involving, in the aggregate, the sum of \$250. In March, 1878, things returned to their normal condition; one fortnight was expended, and so were \$86.50; the Court was, as usual, opened and closed, but the business was *nil*. In June, and again in September, 1878, there were similar results. In December, 1878, and again in March, 1879, the same experience. In June, 1879, appeared one case, involving \$98.25, to try which the usual sum of \$86.50 was expended. In September, 1879, nothing; but in December, 1879—a remarkable event for Comox—there were two cases of the aggregate value of \$410. The practical

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result is that twelve Courts were held, for a fortnight each, at a cost of \$86.50 each, or \$1,038 in all. In nine Courts out of the twelve, no business was done, and the five cases tried in the other three Courts involved only \$758.55. It would have been better for the Government to have paid the claims out of the public funds than to have tried those cases; we should have saved by it nearly \$300, besides the Judge's trips to and from Comox. When you find the Local Legislature and the Executive making such use of its powers, as these figures indicate, we have a right to call on those authorities to retrench still further, and to call on this Government, now proposing to enlarge those expenses, by diminishing the number and increasing the rank of the Judges, for some better reasons. I do not blame the Government seriously for introducing this Bill, in ignorance of those facts, as it took me a good while to ferret them out of the papers. But here are the facts before us, and the Local Act of last Session involves the necessity, if a new system is to be created, of a still increased expenditure. I ask the hon. the Minister of Justice to consider the advisability of still recommending to British Columbia what the preceding Government recommended: to say to it that—with a staff of three Supreme Court Judges of whom the Province does not complain, and five County Court Judges, who are shown to be able, honest, capable, intelligent men, who have had a long training, with a condition of things which involves but little important work at any one place, and great difficulty of communication—the true plan is that the large staff of existing Judges should be used, instead of being superannuated and replaced by a smaller number. What I suggested is the true view, and I have seen no ground for departing from it. It is impossible to justify the additional expense, an expense not to be measured by the figures the hon. the Minister gives for the proposed purpose. I maintain, that diminishing the number of judicial officers as proposed will not really increase judicial facilities, will not add to the efficiency of the administration of justice, but rather diminish it, and will obviously add to the present burdens on the people, with the prospect, ere long, of a very much greater increase.

Mr. McDONALD (Pictou): I have listened, as I always do, with great pleasure and interest to the observations made by the hon. gentleman who has just resumed his seat, but on this occasion, unlike some other occasions, he has failed entirely to show me in what way he has effectually assailed the resolutions before the House, or on what grounds he suggests I should withdraw them. If I understand the argument of the hon. gentleman, it is that, in view of the condition of British Columbia, it is not reasonable or proper to increase the expenses of the administration of justice in that country. If the hon. gentleman will recollect, I am quite sure the House will recollect, that when I introduced the resolutions, I stated, as a matter of fact, that the expenditure under the new arrangement would not be materially larger than the expenditure under the existing system. He will also remember that I put it to the House that, inasmuch as the probable expenditure was not as much as the current expenditure for judicial purposes, it was only becoming to assume that the Local Legislature was better acquainted with the circumstances of the country, and with the best mode of distributing their administrative power and judicial functions throughout the country. It was on that ground that I laid the resolutions before the House, and I take the liberty to assert that the hon. gentleman, in the long and laboured address which he has just made, has entirely failed to shake that argument in the slightest degree. I am willing to admit that, had the hon. gentleman succeeded in proving that the proposed change would impose large additional expense on the Dominion Treasury, I should not have felt so anxious to press forward the measure. It appears that, if we were to attach any value whatever to the argument of the hon. gentleman, it is this, that, British Columbia being a poor country, and the people scattered over hills and in valleys, and secluded from civilisation, they must be deprived of the ordinary administration of justice.

Mr. BLAKE: I beg the hon. gentleman's pardon. I did not say that British Columbia was a poor country.

Mr. McDONALD: The hon. gentleman said it was poor in everything that

conduces to the material comfort and happiness of the people.

MR. BLAKE: Not at all.

MR. McDONALD: The hon. gentleman said they were apart from civilisation and its comforts. I have always understood that the district of Cariboo was one of the most prosperous ones outside of Victoria. If I understood the hon. gentleman aright, he deplored the condition of a Judge who had to reside in Cariboo, on the ground that he was outside the pale of civilisation, but that his expenses would be so great as to demand an additional income. Now, supposing that to be true, that in Comox, Cassiar, Cariboo and Clinton, throughout all that sea of mountains, as I believe the hon. gentleman at one time characterised it, the condition is as the hon. gentleman has stated it, then there is the strongest reason why it is incumbent on this Parliament to provide for them the ordinary administration of justice, to see that, in their solitude, in their seclusion from society, in their inability to obtain the ordinary comforts of social life, at any rate life and property shall be safe so far as the administration of the law is concerned. In my opinion, on account of our inability to compare the modes of travelling in British Columbia with the comparatively luxurious mode of travelling in Ontario, the hon. gentleman's argument with regard to expense was entirely thrown away, and an unfair deduction from the premises which he himself advanced. The main point on which I asked this House to support this Bill was that it does not materially increase the actual expense. I desire again to refer to the figures I submitted to the House on a former occasion, and, in doing so, let me observe that the hon. gentleman who has just sat down misapprehended my argument on that occasion. I will read the figures again for his satisfaction. The salaries of the Stipendiary Magistrates, as I read them, were as follows: Victoria, \$2,250; New Westminster, \$2,425; Cariboo, \$3,400; Lillooet, \$2,400; Nanaimo, \$2,250; making in all \$15,725. I am informed, on the best possible authority which I can get from that country, the first law officer of the Crown of that

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country, that, in the event of this measure failing, it would be absolutely necessary to re-appoint the magistrate at New Westminster. I do not intend to base my argument on that at present, but I have this observation to make in reference to some of the correspondence read by the hon. gentleman. I do not think it desirable, nor do I think it will conduce to the interests of British Columbia, to put the Judiciary of the country in antagonism with the legislative power of that Province. Therefore, I did not refer in any sense, during this discussion, to the opinions of the Judges of that Province. I must say that some of the Judges, if not all of them, are opposed to this measure, and very naturally so. I will undertake to say that the hon. member for West Durham (Mr. Blake), were he in their position, would be opposed to it, because it interferes with their comfort and convenience. The Bill proposes that, instead of the Supreme Court Judges residing at Victoria and taking their usual summer trip, surrounded with pack-horses and servants, away into the interior of the country, only two of them hereafter shall reside in that delightful capital, and three of them shall retire to the seclusion of the wilds, so graphically described by the hon. member for West Durham. Without saying that the objections of these learned Judges are not worthy of consideration, I can only say, in dealing with the matter officially, that I am bound to accept the voice of the legislative power of the country, when that legislative power expresses itself so clearly. This Bill, on which this resolution is founded, is not a Bill hastily passed. It was passed in 1878, and the Legislature, since that time, in 1879, passed another Bill, extending and enforcing the provisions of the first measure, requesting the appointment of additional Judges. But to return to the figures again. I have stated that the total amount of the salaries paid to the Stipendiary Magistrates, whom it is proposed to pension, is \$15,725. Now, let me just say that it appears to me that the hon. gentleman has most conclusively sustained my argument. In dealing with this question, he referred to these men as very able men. I have no reason to believe that they are not men of very high character, and no doubt they have been

able to perform good service for the Province; but my hon. friend states that, while they did their duty, there is no doubt that it would be better to have able professional men. Now I propose to appoint able professional men to do professional work, at an expense not greater than that now incurred in connection with non-professional men. The amount of the salaries of the five Judges, including the vacancy, would be \$15,725. The amount now paid to the five Stipendiary Magistrates is \$13,200. The cost of the two Supreme Court circuits at about \$2,600 increases the cost to \$18,325. Under the proposed resolutions the salaries would be: Two Judges, \$4,000 each, \$8,000; pensions to Stipendiary Magistrates whom we retire, \$8,083, or a saving to the country of \$2,242. But I will make a present of the ghost of New Westminster to my hon. friend, and we have only then an addition to the ordinary expenditure at this moment of \$400 a year, and I will ask my hon. friend if, with only an increased expenditure of \$400 a year, it is not desirable, particularly in the interest of British Columbia, and in the interest of public justice, that we should have professional men, and, as I hope they will be, men of good character and standing. I have no doubt that we will be able to find young, ambitious, and able men who will undertake to undergo the discomforts which my hon. friend has so vividly described, for the sake of the future lying before them. Is it not better, I would ask, that we should have the Judiciary properly constituted of professional men, and distributed, as these will be, throughout the country. By this means we will have centres of civilisation, around which the uncivilised inhabitants of British Columbia can gather and receive faint rays of light. I do not propose to follow my hon. friend through the array of figures with which he regaled the House in his address. They were very interesting as historical sketches, delivered in a very agreeable manner, but it does not appear to me, for the reasons I have given, that they at all bear on this subject. But my hon. friend went further, and he gave us a very painful description of the decrease of the population in that country, or some parts of it. It is very natural that in a mining country—where the population depends largely upon the

success of the discovery of the precious metal, gold—Lillooet, for instance, may to-day be a place of great importance and large population, and in a year or two another part of British Columbia may be blessed with the same population, and Lillooet may be left comparatively unpopulated, but my hon. friend has, it appears to me, forgotten one element of his calculations, which, it appears to me, ought to have presented itself to his mind. The hon. gentleman must know that that country has taken a start for the better. My hon. friend will appreciate the importance of the fact that 125 miles of the Canadian Pacific Railway have been laid within the confines of that country, and that in the construction of that work a large expenditure has been incurred, and that, certainly, the result will be not only a large accession of population, but a large accession to the enterprise and to the business activity, not only in the neighbourhood of the railway itself, but throughout the whole country. Therefore, another additional reason exists why men capable of rendering decisions on difficult questions of contract and otherwise should constantly reside in the region of the enterprise to which I have referred. I will now leave the matter to the House. I trust I have made it clear that we do not ask to add to the power of the Judiciary, or increase the expense of administering justice in British Columbia, but to authorise such a re-distribution of the judicial power and expenditure as will make that power and expenditure more effective. As has been very properly said, the fact of these Judges being on the mainland, within their own districts, must largely reduce the travelling expenses of these Judges in the discharge of their duties; and then we shall have, instead of one circuit, several, and instead of a man—not a criminal perhaps, as the hon. member for Cariboo (Mr. Thompson) has remarked, but an innocent man—being kept in jail awaiting his trial for many months, justice will be promptly and effectively administered, and that by competent persons. We shall have the expenditure lessened by the fact that the Judges, instead of having to travel with a large retinue long distances, will be resident at the door of the Court-house, where they have to administer justice,

both in the district of Cariboo and in every other district.

MR. BLAKE: The hon. gentleman, I presume, is making this assertion in a comparative sense.

MR. McDONALD: Of course you must speak comparatively in reference to a country stretching over such a large extent of territory. I have just one word to say upon the alarm expressed with respect to poor Nova Scotia. The solicitude expressed, on behalf of that ancient and very desirable Colony and Province, is unfounded. The hon. gentleman who expressed that solicitude need not be alarmed. I had no knowledge that an increase of the judiciary of that Province is required. I saw in a newspaper a statement that a number of gentlemen composing the Bar in the city of Halifax had, for some reason which did not appear from the newspaper in question, represented that it would be desirable to appoint two more Judges. It would not be for selfish purposes, perhaps, but I suppose it would not be more injurious there to some of those who wanted Judgeships, than it would be in British Columbia. I do not attribute any selfish motive to British Columbia in seeking the passage of a Bill to increase its Judiciary, nor do I think any such motive actuates Nova Scotia. I have had no proposal during the Session to add to the Judiciary of Nova Scotia.

MR. THOMPSON (Cariboo): Having already stated my approval of the proposition now before the House, I should not have spoken again on the subject had it not been for the many arguments used against it by the hon. member for West Durham (Mr. Blake). I am not prepared to dispute the statistics brought forward by that hon. gentleman. I presume they are correct; but I do not admit that these expenses which he has alluded to will be increased by the measure now proposed. The hon. the Minister of Justice has just read the statement of the Attorney-General for British Columbia, showing the reduction that will be made in travelling expenses by the appointment of the new Judges. I am sorry the hon. member for Vancouver (Mr. Bunster) is not here to retract his assertion that the hon. member for West Durham (Mr. Blake) was opposed to this measure for the increase of the Judiciary of British

Columbia because he could not obtain a Judgeship in that Province. Nothing, I believe, could be further from the mind of the hon. member for West Durham. From his contemptuous description of the country to-night, he would evidently consider it a hardship to be sent out there as a Judge, even at ten times the salary proposed, to bury himself among those icebergs and glaciers which he has told us about. The hon. gentleman has given us an appalling picture of the country. We have been told, that we British Columbians are a lawless and disreputable people, guilty of many violations of the law. I say that we are the most peaceable and law-abiding people in the Dominion of Canada. Most of the criminal cases are against Chinese. When he came to the expenses of County Court Judges, he brought forward an instance of a Judge in the Lillooet district, and said there were ten circuits held, in which thirty-two small cases were decided, and the expenses of the Judge for travelling forty-seven miles, and going ten times each way, were \$410. It is quite true that Lillooet has fallen, but in the early times, in the old palmy gold-mining days, it was a place of great importance. It is owing to the presence of lawless Indians and Chinese that there is a necessity for so many sessions being held. The hon. gentleman shakes his head; but I say it is so; the place is a portion of the electoral district which I represent, and, if it has fallen off of late, it is owing to the lawless conduct of the Indians and Chinese.

MR. BLAKE: Will the hon. gentleman permit me to say that, in the year referred to, 1878, the whole of the thirty-two cases were civil cases. Besides these, there were only two criminal appeals.

MR. THOMPSON (Cariboo): I can answer that. The criminal cases were tried at Clinton, in the Lillooet district and the jail at Clinton was filled with Chinese and Indians upon charges of murder and robbery. The fact has been brought forward by the hon. the Minister of Justice that the building of the Pacific Railway, which will pass probably within twenty or thirty miles of the southern boundary of that district, will increase the population largely. It is time we had facilities for making a market for our cattle, by being enabled, as we will be

when the Pacific Railway becomes a reality, to remove them to the seaboard. The district is teeming with cattle. That railroad will increase the population rapidly and give full employment for a Judge. In the district last year an atrocious crime was committed, far away from any place where there were any officers, a crime which has been equalled in this very Province of Ontario, a crime where arson and murder were combined, and a crime which, in both instances, — both in Ontario and in British Columbia — has not yet been brought to light, but which might have been traced in British Columbia if we had a better administration of justice there. I consider that the Legislature of British Columbia is best competent to judge what Judges there should be in the Province. If the proposal now before the House would, if carried out, be an advantage to us in British Columbia — as I am sure it would — if the Province itself would be a gainer then the Dominion would, in proportion, be also a gainer; and I think it has been conclusively shown that there can be no real increase of expenditure involved.

MR. BARNARD: I would prefer not to give a silent vote on a Bill proposing so complete an alteration of the system of trying cases in British Columbia. Were I inclined to oppose this Bill, I should not do so after the circumstances which have come under my notice, namely, the recommendation of the entire Bar of British Columbia. If there are a number of men in the Dominion who are in a position to decide on the best means of administering justice in that Province, it ought to be the men whose whole time has been devoted to the question. We have the sympathy and support of the men who compose the Bar of British Columbia, on a question which has been before the Local Legislature on two or three occasions; and the Government of British Columbia comes before this House to have the appointment of two more Supreme Court Judges sanctioned, who shall replace five gentlemen who hitherto have acted as County Court Judges, they being laymen. As to the question of economy, I may say that the expense of travelling in that Province is somewhat excessive, and, I think, any measure which would have the effect of reducing it would be to the interest of the country.

The hon. member for West Durham (Mr. Blake), who appears to fear additional expense, will remember a case of mail robbery which occurred while he held the office of Minister of Justice, in which the prisoner was brought to Victoria for trial, and in which a bill of \$1,800 was incurred in moving the witnesses to and from a point near Cariboo, and we have no guarantee that such cases will not occur again. One reason why we are a law-abiding people is that the law has been so well administered by the Judiciary we possess. In the early settlement of the country, when a large number of people were flying to and from British Columbia — men, in many cases, of the rougher class — it was admitted by them that the law was well administered, and when difficulties arose they used to say that, were it not for the excellent administration of justice, they would have taken the law in their own hands. The very fact of there being so little crime shows that the people who administer the law know and understand thoroughly the requirements and peculiar circumstances of the country. I have no hesitation in voting for this Bill; although there is one thing that I would like to call the attention of the Government to. I desire that they should not do anything to give effect to the Act of the British Columbia Legislature, which, as I understand, gives the Government of that Province extraordinary control over the Judges. It is a source of complaint on the part of the Judges that clause 25 provides that the rules of the Court shall be made by the Local Ministry. The Judges object to this, and I think they have good ground for doing so. They wish to have the making of their own rules of procedure, and not to leave them to be made by a Ministry supported by the majority of a body of legislators numbering twenty-five, among whom there is only one legal gentleman. They do think that a House elected as ours is, by universal suffrage, should not assume the responsibility of regulating the procedure of the Court in any way whatever. There is, moreover, a certain want of harmony between the present Court and the Bar. It is complained that very frequently the members of the Bar are not accorded that degree of courtesy which should be extended by the Judges. As I understand it, the members of the



Bar take the ground that changes are required in the *personnel* of the Bench, as well as in other respects. They contend that there should be sent from here two Judges well versed in the law, but who must be compelled to reside at the seat of Government, where the libraries are and where the lawyers reside. It seems the desire is that the Judges that now occupy the Bench in Victoria shall be moved to the interior, and that the gentlemen sent from here should occupy their places in Victoria. The present Judges, however, may object to this change, and the gentlemen of the Bar may find themselves disappointed in their desire of a change in the *personnel* of the Bench, for, if travelling expenses are to be saved, the Judges from Cariboo and Clinton cannot be expected to visit Victoria. Now with regard to the gentlemen who are to be superannuated, I contend that their services in the past ought to be regarded. They have undergone a great deal of hardship; they have been compelled to undergo privations which very few gentlemen seated in this House have any knowledge of, and now that they have surrounded themselves with families, it would be an injustice to remove them; as was suggested by the hon. gentleman from Victoria (Mr. De Cosmos), who said, in effect, that one gentleman, at least, might have been sent out to the North-West Territory in place of the gentleman sent to take charge of the Indian tribes there. That would be but a poor way of repaying the faithful public services of men of who have not only performed the duties allotted to them with credit, but who have undertaken the performance of every other duty required of them, and these have not been few. If the Government should find employment for these gentleman, it would be a great advantage to the country and a great advantage to them as well. If they are pensioned, the amount to be paid to them will be large, whereas, I believe their services could be utilised in the Province in positions equal in importance to those they now occupy, and it would effect a saving instead of involving a loss.

MR. DECOSMOS: With respect to some remarks that fell from the hon. gentleman who has just taken his seat, with relation to the Law Society being

anxious that two gentlemen shall be sent from this country to take their seats upon the Bench of that Province, it appears to me that he must be in error. I am tolerably well posted as to the views of the members of the Law Society in British Columbia, and I believe they are anxious that two more Judges should be added to those already in the Province; but they would prefer that they should be taken from the Bar of the Province, although, in case the Government should decide upon taking them from any other Province, the Law Society will not complain. The hon. gentleman also made a remark about universal suffrage, and also in relation to the orderly character of the population, which he believed was due to the Judges. I am persuaded that the Judges of the Supreme Court and the Stipendiary Magistrates have exercised a wholesome influence throughout the Province, but I am prepared to state this: that the good order observed in that Province is due to the character of the people who have found their way to that Province, to the intelligent class of men that are to be found in the mines, on the farms, and in the various pursuits followed in that Province. It is to that fact that we must attribute the smallness of the criminal calendar. I saw 40,000 men land in Victoria within three months; we have had the whole route from Victoria to Cariboo, 600 miles, lined with them, and yet order prevailed everywhere. Now, when we find that such is the case, I think my hon. friend is not right in deprecating universal suffrage, and saying that a Legislature elected by universal suffrage cannot be relied upon. I am one of those who believe in universal suffrage for the entire Dominion, and I hope to live long enough to see universal suffrage prevailing in this country, so that the man who is bound to bear arms, and who pays taxes, shall have the right to vote as well as the man who merely owns or rents an acre of ground. With regard to the speech of my hon. friend from West Durham (Mr. Blake), I do not wish to refer to it, except so far as it refers to the expenses of the Courts in British Columbia. All day yesterday, until late in the evening, this House was occupied with a discussion on the Supreme Court of the Dominion, and an overwhelming vote was cast in favour

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of that Court, which was created by the hon. gentleman when he was Minister of Justice.

MR. BLAKE : No.

MR. DECOSMOS : He had certainly a large part in its creation.

MR. BLAKE : No.

MR. DECOSMOS : He certainly, as a member of this House, sanctioned it.

MR. BLAKE : Yes.

MR. DECOSMOS : I take it then that he helped in creating that Court. Now, what do we find has been the cost of the Supreme Court of the Dominion of Canada. According to the returns, it has cost, up to the present time, \$164,038. The total number of judgments rendered by that Court is fifty-three, and the average cost of each has been \$3,094. I think we must admit that the sum of money expended in the cost of that Court is utterly beyond all reason, and must astonish the people of this country. But the question of the Judiciary in British Columbia is not a question of a few thousand dollars here and there ; it is a question of the proper administration of justice in civil and criminal cases. That is really the point. If we expend a few thousand dollars more than at present, we can get regularly trained men to occupy the Bench and administer all laws, civil, criminal and ecclesiastical. The hon. member for Yale (Mr. Barnard) alluded to the great consideration due to the Stipendiary Magistrates. I am not one of those who wish to withhold the measure of praise that is due them, but I did state that I believe most of those gentlemen are in the full vigour of life, and that they are to-day as well able to discharge their duties as they were at any former period of their life, perhaps better, since they have had a larger experience. If those gentlemen, who will draw in the aggregate \$8,083 in pensions, were employed by the Government in the discharge of duties with which they are familiar, such as that of Indian agents, that sum of money would be saved to the Dominion, and any excess in the charge over and above what is now paid would be so small that it would amount to very little. I therefore ask the Government to press the Bill, because I believe it will meet the views of the legal fraternity in British Columbia, as well as the views of the entire population.

Bill read the first time.

CANADIAN OFFICERS SECURITY ACT AMENDMENT BILL.—[BILL 28.]

(Sir Samuel L. Tilley.)

SECOND READING.

Bill read the second time.

PRIVILEGE—THE MEMBER FOR LENNOX.

REMARKS.

MR. KIRKPATRICK : What has become of the motion made a few days ago with reference to the petition against the hon. member for Lennox? When is it to be brought up again?

MR. MACKENZIE : It is adjourned at the request of the Premier.

MR. KIRKPATRICK : I do not think it is right that this matter should remain hanging over the head of the hon. member. I have a statement here which was handed to me by Mr. Hooper, which I should like to read to the House, and have the matter disposed of.

MR. MACKENZIE : I think it is a very irregular mode of procedure, after the hon. the First Minister has asked that it should be adjourned until such time as he should find convenient.

SIR JOHN A. MACDONALD : I said I had not seen the petition. I had seen a petition printed in the *Globe*, but I did not know whether that was the petition before the House or not. I said, of course, that we could not proceed to discuss it until we had seen the petition, and therefore it was suggested by the hon. member for West Durham (Mr. Blake) that it should be put in the Votes and Proceedings, that every member might see it.

MR. BLAKE : When the First Minister moved that the debate should be adjourned, the debate was ordered to be adjourned, and it was published in the Votes and Proceedings. But it has not appeared on the Notice Paper, as it ought to have appeared, in its proper place. I noticed that it was not on the Votes and Proceedings, and spoke to some of my friends about it yesterday.

SIR JOHN A. MACDONALD : It will appear on the Orders of the Day for Monday.

MR. MACKENZIE : It is probable it will not be reached on Monday.

SIR JOHN A. MACDONALD : It is a matter of privilege, I suppose.

Mr. MACKENZIE: Not after the notice is given. If the debate is adjourned, it must take its proper place.

SIR JOHN A. MACDONALD: It has been suggested to me that that matter, being a matter of privilege, notwithstanding the notice, ought to have precedence, and ought to go on.

Mr. MACKENZIE: It was not a notice. The question was put and the debate adjourned.

SIR JOHN A. MACDONALD: It was a debate on the question of privilege.

Mr. MACKENZIE: But you answered the hon. member for North Norfolk that it was a question of privilege, and you cannot take action on a question of privilege in an adjourned debate.

SIR JOHN A. MACDONALD: It has been brought up as a matter of privilege, and hereafter must be continued as a matter of privilege.

Mr. BOWELL: The hon. member for West Elgin (Mr. Casey) brought the matter before the House as a question of privilege. Then, if the debate was adjourned, it stands in precisely the same position as it did before.

SIR JOHN A. MACDONALD: I will read from May:

“When debates have been adjourned upon urgent questions of privilege, similar precedence has been given to the adjourned debates. Thus, on the 8th June, 1837, the adjourned debate on the petitions of the printers of the House, relating to Stockdale's action, was resumed before all other business; and in 1840 adjourned debates upon the same important question of privilege were repeatedly renewed at the commencement of public business.”

Mr. MACKENZIE: As a question of urgency.

SIR JOHN A. MACDONALD: Not as being a question of urgency, but as a question of privilege. The debates spread over many weeks. Sir Robert Peel fought everybody in favour of the privileges of the House of Commons, and therefore the question of urgency could not have arisen there.

Mr. MACKENZIE: I do not wish to be understood as objecting at all, but the hon. gentleman who presented the petition and made the motion is not in the House. I have had no conversation with him on the subject, but it is quite clear the matter must stand on that account.

Mr. MACKENZIE.

SIR JOHN A. MACDONALD: I think I am bound to read the whole passage, because it will bear out the hon. gentleman's statements:—

“So, also, on Tuesday, 27th February, 1838, the adjourned debate on the question of privilege, arising out of Mr. O'Connell's case, was taken first, before all the notices which had precedence on that day. And again on Tuesday, 9th May, 1865, the adjourned debate on the consideration of the report of the Committee, on the forgery of signatures, and the petitions in favour of the claims of Azeem Jah, which stood as the third Order of the Day, was resumed before all the notices, and other Orders of the Day. So also in Mr. Plimsoll's case, on the 29th July, 1875.”

Mr. BLAKE: My hon. friend said the other day it was not urgent, and he did not see any reason why it should not be placed on the Notice Paper.

SIR JOHN A. MACDONALD: I am much of that opinion now. It is for the House to say whether it is of urgency.

Mr. ANGLIN: Some time or other it will be well to come to some understanding when this shall be disposed of. It is a matter affecting seriously the character of a member of this House. His right to sit here is seriously impugned, and we ought to deal with it as soon as possible.

SIR JOHN A. MACDONALD: We will take it up early on Monday.

#### BANKING AND CURRENCY.

##### QUESTION.

Mr. MACKENZIE: When is it likely we will have the banking measure promised to be brought down? We are now over a fortnight in Session, and no measure from the Government has yet made its appearance, except that had one concerning the Judges in British Columbia. We ought to have some of those very important Bills before us at as early a day as possible.

SIR SAMUEL L. TILLEY: From my own experience of eight years in this House, I have never known so much business transacted in the first fortnight, and the members sitting here so steadily, as in the present Session. The public interests have not suffered, and certainly, if my memory serves me aright, I do not think the Estimates were before the House within the first fortnight, for the last three or four years. In reference to the Banking measure, I purpose, in the first place,

to have the Estimates before the House and deal with the question of the Tariff, and then to submit, at the earliest day possible, the propositions with reference to Currency and Banking.

SIR RICHARD J. CARTWRIGHT : It gives me great pleasure to inform the hon. gentleman that the bad precedent which, no doubt, was set during the seven or eight years he was in the House was not followed in 1875, 1876, 1877, or 1878. In 1875, we met on the 4th of February, and the Budget Speech was delivered on the 16th of February. In 1876, we met on the 10th of February, and the Budget Speech was delivered on the 25th. In 1877, we met on the 11th February, and the Budget Speech was delivered on the 20th. In 1878, we met on the 7th of February, and the Budget Speech was delivered on the 22nd. The hon. gentleman will see that, in all these cases, within a fortnight after the House met—and we have been here more than a fortnight now—the Budget Speech was delivered, the Estimates had been brought down, and the information for which we asked and which the hon. member for Cumberland (Sir Charles Tupper) in former days used to ask for from the place I now occupy, was laid upon the Table and everything was ready. I repeat what I said last night, that, though it is perfectly fair and right that a certain number of days should be given at the commencement of the Session to enable the House to make itself acquainted with those facts which it can only learn after the reports come down, further delay than that means two things : first of all, it occasions considerable unnecessary expense, which, as I judge, is much to be avoided by the hon. the Minister of Finance at present. In the next place, it means that important measures like that to which he has alluded, and than which no more important measure can be brought before the consideration of the House, must be inevitably thrown over to a late period of the Session, and will inevitably be indifferently discussed. Every man who has had any experience of the working of this House knows perfectly well that no business is attempted until the financial statement is made, and the longer that is put off so much the more difficult will it be to give proper

attention to the important measures the Government may have to bring down. It is for that reason that in 1874 the Rules of this House were amended in conformity with those of the English House of Commons, and a very simple form of bringing in the Budget was introduced ; and it was for that reason that, while my hon. friend beside me presided over the Government, we deemed it our duty never to allow more than a fortnight to elapse before giving the House an opportunity of knowing, at any rate, our financial policy and discussing the measures we had to produce. The Estimates have always been down two or three days before the Budget Speech was delivered.

SIR SAMUEL L. TILLEY : I think I may safely say that, in the experience of the Dominion Parliament, there never have been so many returns called for by the leading members on both sides of the House as in the present Session. But I can quite understand why those hon. gentlemen are anxious to have those returns. It is impossible for us intelligently to enter upon the discussion of the effect of the recent Tariff unless they have these returns, and, had I now been sitting in the place now occupied by my predecessor, I would also have asked for them. It was but right for the late Minister of Customs to ask for certain returns. But these returns must necessarily be very voluminous ; some of them, for instance, ask for a comparative statement of the imports for the first six months of this year, compared with the first six months of last year. It requires not only some time for these returns to reach the Customs Department from various parts of the Dominion, but they have to be tabulated. It required two months in that Department to prepare the returns for the first quarter of this year, to lay before the Government, in order to compare the effects of the Tariff with the first quarter of last year ; therefore, it is utterly impossible for the staff in that Department to do the work of months in the short time in which they are asked to do it. If I had submitted the Estimates, and asked the House to go into a consideration of the Tariff without those figures, my hon. friend would have been the first to object. We are as anxious as they are to have these returns, because we feel that they will be

the vindication of the policy of the Government, whenever they are submitted to this House.

MR. MACKENZIE: The hon. gentleman is suddenly very careful of the interests of the Opposition. He makes the complaint on our behalf that the returns are not down, saying that it is impossible for the Opposition to consider the Estimates before they come down. We do not complain; we are ready to go at the work. The hon. gentleman need not be concerned on our account. But, if, as he says, it is impossible to have those returns yet, and that they were necessary, he surely knew that before Parliament met, and should have made the necessary preparation. It would have been fair and ingenuous in the hon. gentleman simply to have admitted that the Government is not ready. This is no new subject I have brought up. We had the subject of banking discussed some years ago, when no very material change was then made in the Banking Laws. At that time there was an understanding arrived at across the floor of the House that the debate which was then entered upon should be carefully reported. It was carefully reported, but was never published. It could not be found by myself, when I went into office, nor by any of my colleagues. It was not even in that famous pigeon-hole marked M. I., for Masterly Inactivity. If this debate were published for the sake of giving us something to consider, we might have subjects before us for a few days, without feeling very seriously the want of some Government matters to work upon.

MR. BLAKE: I desire to join in the protest against the reiterated statements of the Financial Minister, because this is the second time that he has given the same excuses for delay in bringing down public business for the consideration of the House. For the second time he has said that certain information was essential to the preparation of his Budget speech; but I hold it was the hon. gentleman's duty to have prepared for these things in advance of the meeting of Parliament. He should have used his staff in the gathering of all necessary information, and been in a position to furnish a great deal at this moment, without waiting for the Opposition to move for returns. He ought not

to try and let himself down, as if he were powerless to act till pushed by the Opposition.

SIR SAMUEL L. TILLEY: I have no desire to let myself down in any shape; nor could any hon. member have got any information that I have not produced. I can inform my hon. friends opposite that, anticipating this matter, instructions were given to the Department to have the information prepared and tabulated in the form asked for by the late Finance Minister, but it was utterly impossible to have the second return ready, although the officers have been engaged on it since the returns came in. That is the explanation and not any desire to be urged by hon. gentlemen opposite. Certain information as to the imports in the six months has been ordered without reference to any call from the House; but other matter asked for by the late Minister of Customs, with regard to the different Provinces, required labour and will cause delay. But the papers deemed absolutely necessary for an intelligent consideration of this subject were ordered two months ago, in order that they might facilitate comparisons as regards the experience of the six months. The preparation of the further returns could only be commenced in the latter part of January.

MR. BLAKE: When will these be ready?

SIR SAMUEL L. TILLEY: I do not know. The officers are working on them to have them ready without the least delay.

SIR RICHARD J. CARTWRIGHT: It is quite clear that the hon. gentleman will have reason for granting my request that it be a Standing Order to have these returns ready as soon as possible. I join my petition to that of the hon. member for Lambton that the speech made by the the Finance Minister, who was then Minister of Customs, on the Banking Law introduced by Sir John Rose, should be reprinted for the use of members. It attracted great interest and attention at the time, and it would be pleasant to have it now.

INSOLVENCY ACTS REPEAL BILL.—  
[BILL 2.]

(Mr. Colby.)

FURTHER CONSIDERED IN COMMITTEE.  
Order for consideration of the said Bill, as amended, read.

SIR SAMUEL L. TILLEY.

MR. BLAKE : It is highly important to make provision for two classes of cases not included in the present Bill,—the winding up of Insolvent Banks and Insolvent Fire and Marine Insurance Companies. The objection which applies to the Insolvent Law,—the debtor's discharge,—does not apply to the provisions for winding up such companies. If I am not misinformed, there is an instance of each class, at this moment, being wound up under the Act. At any rate, there may be cases which would require some means of winding up. My only purpose that, is if the Act does pass, the application of the Act to these corporations, through laws on the Statute-book of a later date than the Act, shall not be affected; and with that object I move :

That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the said Bill by inserting after the word "same" in line 5 of clause 1, the following words :—"Save in so far as any of the said Acts do, by virtue of any Act of Canada, apply to insolvent incorporated Banks or insolvent incorporated Life, Fire or Marine Insurance Companies."

Experience, and the general opinion manifested in the debates for some years past, demonstrate that it is important to provide for the winding up of those institutions. My proposition is not in any sense hostile to the general principle of the hon. gentleman's Bill.

MR. COLBY : I am not aware that the operation of the Insolvent Law respecting the winding up of Banks and Insurance Companies has been complained of, nor am I aware that it is satisfactory. Personally, however, I have not the slightest objection, if it be the sense of the House, that the suggestion of the hon. member for West Durham (Mr. Blake) be adopted.

MR. McDONALD (Pictou) : I may say to the member for West Durham that I have settled with the member for Richmond and Wolfe (Mr. Ives) upon a clause similar in substance to the clause just read; that was the clause of which that hon. gentleman gave notice. He was under the impression, however, that he could more readily give the facilities needed for the winding up of those corporations by an amended Act. Therefore, I fancy, so far as I have learned, the desire of the whole House is that those companies should be left in their present position. I do not see why the amend-

ment suggested by my hon. friend from West Durham should not be admitted, because I do not see how it would affect in any degree any measure my hon. friend from Richmond and Wolfe is desirous to introduce.

MR. BLAKE : Precisely; the hon. gentleman could amend the law.

MR. BURPEE (St. John, N. B.) : Has the Government or the hon. mover considered the propriety of fixing a time for the coming into operation of the Bill?

MR. COLBY : I see no reason to change my views on this point. On the contrary, I have received a message from the mercantile interest in Quebec urging the immediate operation as well as the immediate passage of the Bill.

MR. BURPEE : My previous reasons for a delay are much stronger now, as the Legislature of New Brunswick has postponed its meeting until the 9th of March, and there will be the lapse of a month or more between the passing of this Act and any possible legislation in that Province to meet the changes created by it.

MR. WHITE (Cardwell) : I have great diffidence in offering a suggestion with regard to this clause, but I think it would be a misfortune to adopt it. At this moment there are in Montreal two banks in difficulties; one has gone into insolvency under the Act, and is now in the hands of an official assignee, and the other has, I think, escaped that calamity by arrangement with the creditors, and is likely to be ultimately wound up in the hands of its directors, probably by a special Act of the Legislature. Another Montreal Bank, the Ville Marie, is about applying to Parliament for an Act to enable it to wind up its affairs. I consider it a great misfortune when a bank gets into the hands of an official assignee. Those deeply interested in the Consolidated Bank have felt that, had they gone into the hands of the official assignee, not only would all the stock have been wiped out, but every shareholder would have had to pay something under the double liability provision, whereas, wound up in the ordinary way, the bank will ultimately save or pay something to the shareholders instead of inflicting further loss upon them. As to Insurance Companies, we should have special legislation for the winding up of them. They always come

here for, and get special Acts. The general belief in regard to those large institutions is that they lose more heavily by going into the hands of an official assignee than if wound up by those more immediately interested. I think it would be a great misfortune if we passed this amendment.

MR. BLAKE: It would not be right to act under the impression that the ordinary provisions of the Insolvent Act apply to those large institutions. On the contrary, each of the special Acts passed gave a very extensive power to the Judges, upon the representation of what the true interest of all parties might require, to postpone, for a very long period, the issue of an attachment, and to appoint an inspector, under whom the business might be carried on. The real difficulty, with reference to banks is that the directors are, of course, interested in postponing, to the utmost, the enforcement of the double liability. But it was considered by the Legislature that the directors, under the spur of the possible issue of an attachment, within a limited period, might act so promptly and energetically in the winding up as to obviate that proceeding; and I think that, for twelve months after the application, it is competent for the Judge to postpone the attachment; that is as long as is necessary, under ordinary circumstances, as proved by actual experience.

House resolved itself into Committee.

(In the Committee.)

Bill, as amended, ordered to be reported.

House resumed.

(In the House.)

Bill, as amended, reported.

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

### After Recess.

#### PRIVATE BILLS.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 29) To amend the Act intitled an Act to incorporate the Anchor Marine Insurance Company.—(Mr. Cameron, South Huron.)

Bill (No. 31) To incorporate the St. Clair and Lake Erie Navigation Company.—(Mr. Stephenson.)

MR. WHITE (Cardwell.)

Bill (No. 32) Respecting the Montreal Assurance Company.—(Mr. Girouard, Jacques Cartier.)

Bill (No. 33) To amend and consolidate the Act incorporating the Dominion Grange of the Patrons of Husbandry of Canada.—(Mr. McCallum.)

Bill (No. 34) To incorporate the Farmers and Real Property Bank of Canada.—(Mr. Cameron, North Victoria.)

Bill (No. 35) Respecting the Niagara Grand Island Bridge Company.—(Mr. McCarthy.)

Bill (No. 36) To authorise the Corporation of Emerson, in the Province of Manitoba, to construct a Free Traffic Bridge across the Red River, at Emerson.—(Mr. Royal.)

### INSOLVENCY ACTS REPEAL BILL.— [BILL 2.]

(Mr. Colby.)

#### FURTHER CONSIDERED.

House resumed the consideration of the amendment made this day in Committee of the Whole on the said

MR. BLAKE: The House will recollect that there is a certain class of corporations, which has always been embraced in the operation of the existing Insolvent Law, I mean incorporated trading companies. My desire is to preserve the law as applicable to incorporated trading companies. I would therefore move:

That the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend it by inserting after the word "Companies," in clause 1, the following words:—"And also in so far as any of the said Acts apply to incorporated Trading Companies."

SIR JOHN A. MACDONALD: At the time that the last motion was before the Committee, it struck me, after hearing the remarks of hon. gentlemen, that there were no objections to it. I did not see any objection at the time; but since then I find that there is an impression in the minds of some of my hon. friends that the matter has not received full consideration, and that it would come up more properly as a measure like that of the hon. member for Richmond and Wolfe (Mr. Ives). We had better, therefore, leave the Bill as it was yesterday, before the amendment of the hon. member for West Durham (Mr. Blake) and the resolution can stand for concurrence. It is too important a matter to be hurried as it has been.

MR. MILLS: There is one thing to be considered. If this measure is carried repealing the Insolvency Laws, the

House will not be in a position to deal with the Bill of the hon. member for Richmond and Wolfe (Mr. Ives). That question being once decided by this House, whether in the affirmative or the negative, it must stand as the judgment of the House for this Session.

SIR JOHN A. MACDONALD: No such difficulty can arise as that suggested by the hon. gentleman.

MR. MILLS: It must arise, if this Bill is carried at the third reading. If the Bill is carried without the amendment of the hon. member for West Durham (Mr. Blake), the whole question will have been dealt with in one particular manner, by this Bill, and the House will not be at liberty to deal with the same question in another manner, by another Bill, during the same Session.

SIR JOHN A. MACDONALD: We can repeal or otherwise deal with any Bill passed in the same Session. That is provided for by the Interpretation Act.

MR. HOLTON: I think the suggestion of the right hon. the leader of the House that this should stand over will be a proper one to act upon. Before the final judgment of the House is taken upon one Bill or the other, the point raised by my hon. friend from Bothwell (Mr. Mills) can be considered. We can guard against falling into any trap of that kind. Meanwhile, the repeal of the Insolvency Laws, as connected with these corporations, should stand over for more consideration.

MR. BLAKE: I understand the suggestion of the hon. the First Minister to be that the House, before deciding whether it should accept the amendment now under discussion or not, should first see the alternative proposal of the hon. member for Richmond and Wolfe. I think it a highly reasonable suggestion that the House should see the proposal before passing upon my amendment. I will accede to that view, and let the whole question stand.

Several HON. MEMBERS: No, no.

MR. BLAKE: I do not care which mode is adopted. Let the third reading of this Bill stand, until we have seen the Bill of the hon. member for Richmond and Wolfe (Mr. Ives).

SIR JOHN A. MACDONALD: I have no objection to that; and I may say that there will be no delay. I am

quite aware of the importance of avoiding delay in the matter. Persons are rushing into the Courts so as to get white-washed before the Act passes; but there shall be no delay in getting the Bill of the hon. member for Richmond and Wolfe (Mr. Ives) in print. The hon. member for West Durham (Mr. Blake) can withdraw his motion and renew it afterwards.

MR. BLAKE: I am not particular about the form; I only care for the substance.

MR. WHITE (Cardwell): If the Bill is allowed to stand as now before the House on this motion, we may probably not reach it again for a week to come; and the effect will be that the whole question will be postponed for an indefinite time. People are rushing into insolvency, and the injury being done to the country at this moment, by the impression that this Bill is going to pass is incalculable. We ought to determine at once whether this Bill is to be passed or not. If we could refuse concurrence in the amendment moved by the hon. member for West Durham, we could proceed with the third reading of the Bill without any delay.

MR. SHAW: The Bill of the hon. member for Richmond (Mr. Ives) will not interfere with the Act at all. The Insolvent Act does not apply to Insurance Companies.

SIR JOHN A. MACDONALD moved that the consideration of the Bill, as amended, be referred to Tuesday next, and stand as the first Order of the Day.

MR. COLBY: I presume the arrangement arrived at the other day with the hon. member for Chateauguay (Mr. Holton) for the third reading of the Bill on Wednesday will be carried out.

MR. HOLTON: Provided always, that the House put the Bill in a condition to be ratified.

MR. ANGLIN: I have some doubts as to whether that motion will put the Bill in a proper condition. The Bill was, as amended, taken into consideration. Then, on the amendment of the hon. member for West Durham (Mr. Blake), it was referred back to the Committee, who reported the Bill as amended. Therefore, the motion should be that the Bill, as amended, stand for consideration.

An HON. MEMBER: Of course, the Bill as amended.



MR. BLAKE: Of course, I am to be in a position to renew my motion, having withdrawn it on that understanding.

Motion (*Mr. Blake*), with leave of the House, *withdrawn*.

*Resolved*, That the consideration of the said Bill, as amended, be postponed until Tuesday next, to be then the first item on the Orders of the Day.—(*Sir John A. Macdonald*.)

#### FINANCIAL RETURNS.

##### MOTION FOR STANDING ORDER.

House resumed the adjourned debate on Mr. Mackenzie's proposed motion. [*Vide* p. 136.]

SIR RICHARD J. CARTWRIGHT: I wish to call the attention of the hon. the Minister of Finance, and the hon. the Minister of Customs to the fact that, under the present mode of publishing our Customs returns, the information given is insufficient. Under the old system, the rates of duty were clearly marked; all the items were probably not much more numerous than as now published. They gave a good deal more information. It would be very desirable, and a great convenience to the House, to have the additional information brought down at as early a date as possible. I do not particularly care in what mode the Ministry may choose to furnish the House with this information. As the motion shows, it is proposed only that it should be an Order of the House in case this information was not previously printed in the *Canada Gazette*. The first item it is desired to have is a statement of the receipts and expenditures of the Dominion of Canada from the commencement of the fiscal year to the first day of January in each year, or to some other day, not being more than six weeks previous to the opening of the House. That is a matter, of course, that there can be no sort of difficulty in laying on the Table of the House whenever we meet. The second item asks for a return showing the several rates of duty paid—and, in the case of free goods, the several classes of goods—on all articles exported from or imported into the Dominion of Canada during the same period with the same proviso. Now, to this, I understand that the hon. gentleman, though admitting that it would be very desirable, takes exception on the ground of the voluminous character of the return, and the same objection would hold still more strongly to clause 3, which

asks for the same information by Provinces. I am not aware exactly in what state the Customs returns are now prepared, but, I would say that, if the hon. the Ministers of Finance and Customs think that these returns, as asked for, will be too voluminous, almost all the information which is really of importance would be furnished to us provided there were laid on the Table of the House, or printed in advance of the meeting of the House, copies of the monthly statements, supposing that these are all made out in the same manner that they were made out during the time of my incumbency of office, and during the time of the incumbency of office of the hon. the Minister of Finance when he was Minister of Customs. I made the enquiry of the hon. the Minister of Customs, the other day, as to whether that practice still prevailed of having monthly returns furnished to the Departments of Finance and Customs, and I think two other branches of the Government, showing, in considerably more detail than the statements published in the *Gazette* showed, what particular classes of articles were brought in. Of course the hon. gentleman will understand that the main point is to ascertain what classes of goods, what quantity of goods, and the values, come in under the several new duties which he has imposed. Now I am quite aware that there is always a certain amount of delay attending the working of so complicated a system as that the hon. gentleman has introduced. But I may remind him that in the United States all these returns are published quarterly, and a great deal more besides. In England, if my memory serves me aright, they are published, either monthly or weekly, in great detail; and, although a reasonable time, of course must elapse before these can be furnished, it does appear to me that as we rarely meet before the middle of February, at any rate, all that I ask for here, at least a reasonable summary, showing the amount and classes of articles, might be prepared. Of course, it may make a little difference whether the articles, say under \$5,000 worth are detailed, or whether they are placed as usual under the head of articles not elsewhere enumerated. But I think, after the expression of opinion from the hon. gentleman himself, as to the importance—in fact he said the indispensability—of

MR. ANGLIN.

having information of this character furnished to the House, he will himself, without any further solicitation on my part, see the importance of making an arrangement, either for the publication in the *Gazette*, which I think would be the better mode, or by a rule of the House laying on the Table of the House information substantially such as here asked for. Of course this is a matter which rests entirely with the heads of the Departments. My intention is merely to call to their notice this matter, mainly from the fact that, during the first few days we are here, this information can be better examined and better digested than it is likely to be if it is laid on the Table of the House at a later period.

**SIR JOHN A. MACDONALD :** I do not rise at all in reference to the details that are called for in the resolution, but I rise to express a strong opinion against summarily altering our Standing Rules. These matters are surrounded with great difficulty and are not to be altered without the gravest consideration. The mere convenience of having this return early in the Session is not sufficient ground for altering our Standing Orders. That is a matter that can be taken up and arranged from time to time.

**SIR SAMUEL L. TILLEY :** So far as the first proposition is concerned, very little delay will necessarily arise in reference to the returns of Receipts and Expenditure. That can be given in a day or two. I may remind the hon. gentleman that one of the regulations of the Customs Department is to have a monthly return sent in by the Collectors in the various ports of the Dominion, stating the amount of imports and exports of certain leading articles ; while there is a quarterly return giving the particulars of the revenue collected, the goods that are free, and the various articles paying different rates of duty, and the countries whence they are imported. An abstract of these monthly returns could be prepared and submitted to Parliament at a short notice, but the closing part of this motion asks for returns by Provinces, showing also the countries whence and to which said exports and imports were received or exported. That is, the returns, for instance, of last quarter up to the first day of

January. But these quarterly returns have to be prepared by the Collectors of Customs and sent in, and then it requires a good deal of time in order that they may enter the different articles that were imported under the different heads at the different rates of duty, and the countries whence imported. It is that portion of the return that must cause a great deal of delay, but abstracts, not as complete, could be submitted without much delay.

**SIR RICHARD J. CARTWRIGHT :** If the hon. gentleman would agree to the plan, it would be a great public convenience, not merely to the members of this House, but to the mercantile community at large, if all official returns in the *Gazette* were made, under our changed Tariff, a good deal more extensive than they have hitherto been. Under the old system, the rates of duty were always discriminated, and, substantially, all this information was obtained. If he would agree to publish in the *Canada Gazette*, which I think the preferable mode, the six monthly returns, not showing the countries whence the goods are imported, and not showing those details which occupy too long a period in obtaining ; that, together with the statement of receipts and expenditure, would meet all my purpose, and there would be no occasion for pushing the matter further.

**SIR SAMUEL L. TILLEY :** If the hon. gentleman required this to be given, under any circumstances, it would increase the size of the *Gazette* very largely. Do I understand my hon. friend to ask that the rates of duties levied as well should be published ?

**SIR RICHARD J. CARTWRIGHT :** Yes. Special heads are wanted, showing what quantities of goods are imported under twenty, thirty or forty per cent.

**SIR SAMUEL L. TILLEY :** That would require a volume as large as the *Gazette* itself.

**SIR RICHARD J. CARTWRIGHT :** There is force, I am aware, in the objection to the alteration of the Standing Orders. The motion was put in that shape mainly to elicit an expression of opinion in the House as to the desirability of having this information laid on the table, which desirability was very strongly confirmed by the remarks of the hon. the Minister of Finance himself, who pleaded that he

was obliged to delay his Budget Speech until he could furnish the information.

SIR SAMUEL L. TILLEY: Oh, no; I did not say that.

SIR RICHARD J. CARTWRIGHT: The difficulty of obtaining that information prevented him from explaining to us the results of his National Policy. Although there may be difficulty even in complying with the very moderate request I made as to the classes of goods, there can be no difficulty in giving the monthly returns in the more extended shape in which I presume they are furnished the hon. the Minister of Finance and the hon. the Minister of Customs. That would be a great improvement on the present classification published in the *Canada Gazette*, which is most meagre, and affords, except as to the item of sugar, no information of much value.

SIR JOHN A. MACDONALD: The hon. gentleman is evidently spoiling for a fight. He has got his speech ready on the National Policy, and he thinks that everything else must be set aside, that the business of Parliament in both the Upper and the Lower Houses should be set aside—the legislation introduced by the hon. member for West Durham (Mr. Blake) evidently must be set aside, in order that the hon. gentleman may deliver himself and free his conscience and his mind of this speech. We have listened to similar speeches in days of old, and we have listened to them with equal instruction and pleasure. But sometimes the pleasure is not decreased by being deferred. I think we can allow the general business of the country to go on. I do not think the country is going to suffer, or that there will be any failure in any of the public enterprises which the National Policy has been promoting—there will be no serious suffering, either in the House or out of it, by the House going on with its business as it has done. After being thirty-four years in Parliament, I have never in my life seen a Session in which every member of the House seems to have addressed himself at once to his duties as a legislator to the same extent as in the present Session. The Speech from the Throne was answered the day after it was delivered. The House has been fully and profitably occupied in the discussion of matters of great public interest, and we

have not had any long or profitless debates. The debates have been full, concise, truthful, and to the point, and we have worked as hard, and harder, than I have ever known at the beginning of the Session. You must know, from your Parliamentary experience, Mr. Speaker, that it is not well for the House to rush to work early in the Session, and have too late sittings, otherwise, the members of the House will find that when the real heavy business of the Session comes on, they have lost their energy, and exhausted their physical systems. I will assure the hon. gentleman, if he will take the assurance from me, that he will find that the business of this House, as far as the Government is concerned, will be pressed with all convenient speed, all the speed that is consistent with a full and fair discussion of the subjects; and this country will not be put to the additional expense of an unnecessary delay in the Session. I am sure that, if the House continues to be animated by the same spirit as it has commenced with, by an earnest desire to go to work at once, and not do as perhaps we did last Session, when we were all coming fresh from our constituencies, and were full of the discussions that had taken place outside the House. We have all got rid of that, and, if we will continue to do as we have commenced, and keep ourselves earnestly on the same course, this Session will be a profitable Session, and not an expensive or tedious one.

MR. MACKENZIE: The hon. gentleman compliments the House on the readiness with which it has taken to its proper business. I join with him in that compliment. The private members have been compelled to attend to the business of the country, so far as they are able, without the aid of the Government. The only unanimated portions of the House are the eleven gentlemen who sit on the row of seats opposite. Private members have had some business before the House, and the Government have been content, in their want of enterprise, to take the credit of a Private Bill introduced by an hon. member on that side, and to say that that was the Bill foreshadowed in the Speech. They had no Bill of their own on that subject, and Heaven only knows if they have a Bill upon any subject. We have been here for over two weeks now,

SIR RICHARD J. CARTWRIGHT.

and the hon. gentleman quarrels with us because we are anxious to have the measures, in order to give them that full consideration they ought to have. I have asked for some of the more prominent measures, some that affect the country most seriously, and the reply is that they will be down by-and-bye. Now, the hon. gentleman thinks that the best plan is, according to his speech, to allow private members to proceed helter-skelter as they like with the business, without putting in an oar, and, when the House is wearied out with long discussions about other subjects, then the Government expects its own measures will be rushed through in a hurry. The most experienced members of Parliament present have never before experienced such a long delay in the bringing down of measures that were promised in the Speech from the Throne.

SIR JOHN A. MACDONALD: I do not think that at the end of the Session we shall ask the House to give us six days out of the seven.

Motion, with leave of the House, *withdrawn*.

MARRIAGE WITH A DECEASED WIFE'S SISTER LEGALISATION BILL—[BILL 30.]

(*Mr. Girouard, Jacques Cartier.*)

SECOND READING PROPOSED.

Order for second reading read.

MR. GIROUARD (*Jacques Cartier*): Some nine or ten months ago, a lady came to me, and stated that she had married the husband of her deceased sister, according to the rites of the Catholic Church. There were children from both marriages. The father, although having no property of his own, was in possession of a considerable estate, which had been entailed by his father in favour of his legitimate children. The lady wished to know whether the children of the second marriage were excluded from this succession. Her marriage being absolutely null under our Civil Code, you may, Mr. Speaker, easily imagine the effect which the communication of this fact produced on this lady, who had committed no wrong before her God and her friends, but who was, however, guilty before the law of the land. I then conceived the idea of presenting to this House a Bill, to come to the relief of that class of people, situated as this lady was. The last Session having

been a long and arduous one, and being far advanced, I thought it would be better to defer the consideration of such an important subject till the present Session, and hence the present Bill. This Bill, although brought for the first time before this Parliament, is not new to the Canadian public. A Bill to the same effect received its first reading in 1860, before the Legislative Council of the late Province of Canada. Eight times it received the sanction of the popular branch of the British Parliament, and eight times was rejected by its Upper House. It has been passed by several of the Colonial Legislatures; it forms part of the laws of the greatest portion not only of America, but also of the Continent of Europe. Its subject matter is of the greatest social importance, marriage with the sister of a deceased wife being almost of daily occurrence among all classes of our community, irrespective of creed or nationality. Therefore, this grave question should be considered, not only apart from all party motives, but also from all prejudices and ill-feeling, religious or otherwise; it should be regarded almost as a national question affecting the mass of the people of this Dominion. Before the Reformation, as at present, in the Catholic Church, the validity of the marriage with a deceased wife's sister depended upon the dispensation of the ecclesiastical authorities. In 1533 it was forbidden by Henry VIII. However, until the year 1835, it was not void *de jure*, but merely voidable by a legal process taken before the Ecclesiastical Court. In 1835, Lord Lyndhurst's Act made past marriages of affinity valid, but a prohibitory clause, declaring all similar marriages in the future "void," was consented to by the Commons, with the understanding that this limitation should be removed in the ensuing Session, but it is still in force. In 1841, the first effort was made in the Lords by Lord Wharnccliffe to repeal the prohibitory clause, but his Bill was lost without a division. In 1842, the question was taken up by the Commons, the Bill being, however, lost by 123 to 100. Five years later, in 1847, a Royal Commission was appointed to examine the Marriage Laws, and the result was the bringing in of a Bill in the Commons by Mr. Stuart Wortley. The second reading was carried on the 20th June, 1849,

by 177 to 143, but the Bill did not reach the third reading. In 1850, Mr. Stuart Wortley's Bill was again brought before the Commons and passed by 144 to 134. In 1851, the question was raised in the Lords by Lord St. Germans, but his Bill was lost by 50 to 16. In 1855, the same Bill was presented to the Commons, where it reached the second reading by 164 to 157; but in the following year it was again rejected by the Lords, 43 to 19. In 1858, Lord Bury introduced the Bill before the Commons, where it was passed by 100 to 70, but the Lords rejected it, 46 to 22. In 1859, the same result was obtained. During the years 1861, 1862, 1866 and 1869, the Commons sided with the Lords, and in every instance rejected the Bill. Public opinion, however, did not support the action of the Parliament. Petitions from the people, boroughs and corporations poured in, and finally, in 1870, Mr. Chambers's Bill, which had been withdrawn in 1869, was carried unopposed, and in Committee was adopted by 184 to 114. The Lords rejected it, 77 to 73. In 1872 and 1873, the same course was followed with the same result. But in 1875, Sir T. Chambers's Bill received a check in the Commons. The second reading was negatived by 171 to 142. Finally, in 1879, the Bill was again introduced in the Lords by His Royal Highness the Prince of Wales, and was rejected by 101 to 81. The laws in England, therefore, stand as they were laid down by William IV in 1835, the marriage with the sister of a deceased wife being not only voidable, but void, and such is the law in all the British Colonies settled since that time. I believe Manitoba and British Columbia are among these. The Statutes of Henry VIII which declares such marriages only voidable, applied to the Colonies settled before, as the Provinces of Ontario, New Brunswick, Nova Scotia, Prince Edward Island, etc.

"It cannot be doubted," said Vice-Chancellor Esten in the Ontario Case of *Hodgins vs. McNeil*, "that the marriage in question in this case was unlawful, and void at the time of its celebration, and could have been annulled by the sentence of the Ecclesiastical Court at any time during the lifetime of both parties."

We were told last Session during the debate on the Campbell Relief Bill that

MR. GIROUARD.

no Ecclesiastical Court exists in Ontario. However, this would only involve a difficulty of procedure, which can be solved by an Ontario attorney, and it remains certain that under the laws of Ontario the validity of the marriage with the sister of a deceased wife may be questioned and set aside during the lifetime of the parties; and it may be a doubtful point, not to say more, whether in British Columbia and Manitoba such validity may not be questioned even after death. In the Province of Quebec, until the promulgation of the Civil Code, in 1866, these marriages were tolerated, and among Catholics they were altogether left to the discretion of the Church, which, as in England before the Reformation, grants dispensation from the impediment of affinity. But article 125 of the Code says:

"In the collateral line, marriage is prohibited between brother and sister, legitimate or natural, and between those connected in the same degree by alliance, whether they are legitimate or natural."

It is not, therefore, surprising that the question under consideration should have attracted public attention, as well in the Colonies as in the Mother Country. South Australia, Victoria, Tasmania, New South Wales, Queensland, and Western Australia have passed Acts legalising these marriages. A Bill of the same nature has passed the Lower House of New Zealand, and twice that of Natal. At the Cape of Good Hope such marriages are valid if celebrated under dispensation from the Governor. When the Bill was moved in the House of Lords last year by His Royal Highness the Prince of Wales, the progress it had made was reviewed. One of its ablest advocates, Lord Houghton, said:

"At home the question has made great progress, especially in Scotland and Ireland. I remember the time when only three representatives from Scotland could be counted in support of the Bill, but now you have the important petitions from the Convention of Royal Burghs, representing sixty municipalities, which I present to-night, as well as many representative petitions from other municipalities not included in the Convention. The Magistrates and Town Council of Edinburgh recently agreed by a majority of 24 to 12 to petition in support of the measure, and the United Presbyterian Church have, through their Kirk Sessions and Presby-

teries, arrived at the conclusion that marriages of the nature with which this Bill deals, ought not to be a bar to Church membership. As to Ireland, I may state that the corporation of Dublin have five times sent petitions to this House, and that forty other corporations in Ireland have petitioned in the same sense. I may also mention that the late respected Cardinal Cullen authorised me to say that he had no difficulty in acceding privately to the opinion expressed by Cardinal Wiseman and other dignitaries of that Church, although he declined to sign any petition because of the difference of views existing among his clergy. In England, the most important corporations, that of the city of London being at the head of them, have repeated their adhesions, and this evening the petitions presented by His Royal Highness the Prince of Wales, and by the Prime Minister, as well as that by myself from three Bishops, and upwards of two hundred Roman Catholic clergy, including the superiors of the chief religious orders, confirm our opinion.

"It should not be forgotten that all the Non-conformist bodies, without the exception of a single sect, are in favour of the Bill, and what is the immense proportion they bear in the Christian community of this country.

"And now, my Lords," continued Lord Houghton, "I pray you to give a second reading to this Bill. If you do so, you will relieve thousands of your fellow-citizens, honest men and honest women, from a deep sense of partial legislation and cruel injustice; if you reject this Bill, you will force on them the conviction that they might, like yourselves, enjoy the great happiness of family life with those they love best, without discomfort to themselves or dishonour to their offspring, were it not for the intolerance of the Church of England, and the social prejudices of the House of Lords."

I do not intend to consider the religious aspect of the question. It cannot be denied, however, that the law as it stands at present hurts the conscience of the majority of the people of this Dominion, whose religion and faith do not forbid them to marry the sister of a deceased wife. Again, it is equally certain that a large number of spiritual peers of the Church of England have declared their conviction of the spiritual lawfulness of such marriages. More than 400 of the metropolitan clergy have petitioned the British Parliament for their legalisation. I hold a long list of most eminent Protestant divines, and among them such names as Dr. Whately, Dr. Cumming, Canon Dale, Dr. Dodd, Dr. Eadie, George Gilfillan, Dr. Norman McLeod, Dr. Chalmers, Dr. Hook, Dr. Musgrave, Dr. Fair, who are always high authorities on religious questions, and who strongly advocate the passing of the Bill so often rejected by the House of Lords. How-

ever, I cannot shut my eyes to the persistent, and almost systematic opposition of the majority of the prelates of the Episcopal Church. I cannot either ignore the restrictions imposed by the Church of Rome, and the Bill I have the honour to submit to the consideration of the House, is so framed as to meet the views of all, and respect the prejudices, scruples, and sentiments of everyone. In a mixed community like ours, it is important that the conscience of no one should be disturbed or hurt. In the preparation of the Bill, I have been guided to a great extent by the remarks made by Mr. Gladstone, in 1869, when Mr. Chambers's Bill was under consideration. This eminent statesman said:

"Some twelve or fourteen years ago, I formed the opinion that the fairest course would be to legalise the marriage contracts in question, and legitimise their issue, leaving to each religious community the question of attaching to such marriages a religious character."

This religious character will be kept by making such marriages dependent upon the regulations of the Church celebrating the marriage. My bill reads as follows:—

"1. Marriage between a man and the sister of his deceased wife, or the widow of his deceased brother, shall be legal and valid; provided always, that if in any church or religious body whose ministers are authorised to celebrate marriages any previous dispensation, by reason of such affinity between the parties, be required to give validity to such marriage, the said dispensation shall be first obtained according to the rules and customs of the said church or religious body: Provided also, that it shall not be compulsory for any officiating minister to celebrate such marriage.

"2. All such marriages heretofore contracted as aforesaid are hereby declared valid cases (if any) pending in courts of justice alone excepted."

The Bill has no reference to the celebration of the marriage. We all know that under the Constitutional Act that subject is left to Provincial Legislatures exclusively. You will permit me to close these remarks, more lengthy than I anticipated, but not too long if we consider the importance of the subject, by making a few quotations. The Royal Commissioners, appointed June 28th, 1847, to enquire into the state of the law relating to marriages of affinity say:

"Some persons contend that these marriages are forbidden expressly, or inferentially, by Scripture. If this opinion be admitted *cadit questio*. But it does not appear from the evidence that this opinion is generally entertained. \* \* \* We do not find that the persons who contract these marriages, and the relations and friends approve them, have a less strong sense than others of religious and moral obligation, or are marked by laxity of conduct. These marriages will take place when a concurrence of circumstances gives rise to mutual attachment; they are not dependant on legislation."

The report is signed by the Bishop of Lichfield, Mr. Stewart Wortley, D. Lashington, Mr. Blake, Mr. Justice Williams and Lord Advocate Rutherford. Lord Palmerston says :

"It seems to me to be established and admitted, that the moral feeling of the community at large is not with this law; that the law, in fact, is not obeyed, and that a great number of persons, not considering themselves to commit any moral offence, do contract marriages which the law prohibits."

Earl Russell says :

"I must say that I have satisfied myself that there is not any religious prohibition of these marriages."

Mr. John Bright, during the debate on Mr. Chambers's Bill, in 1869, said :

"Apart from the consideration of the freedom of the man and woman who propose to marry, this matter is of the greatest importance to the motherless children who are left, and it is notorious beyond dispute, that there have numbers of cases—and there might have been multitudes more if this law had not existed—where a dying mother has hoped that her sister might become, in a nearer sense than as their aunt, the protector and friend of the children whom she was about to leave behind her. Is it not a common thing—I know it is cruel and brutal—to represent in stories and on the stage that step-mothers are not kind to the children they come to take care of. I believe that in the vast majority of cases no statement can be more slanderous than that; but if there be anything in it, surely the woman who comes as an aunt to take charge of the household, and take those children to her bosom, may be free from any charge of the kind, and the husband may look to her with the utmost confidence to discharge the offices of a parent to those who have been bereft of their mother.

"I know men, I know women, married in violation of the existing law, who are looking forward to the result of this debate with an interest which it is utterly impossible that all the debates of this Session can exceed, or even approach, on a question so grave to them, and by your own showing admitting of so much doubt. I think I may entreat this House to give, by an emphatic vote, their sanction to this principle—for it is all I ask—that the common liberty of men and

women in this country, in the chief concern of their lives, shall not be interfered with by a law of Parliament which has no foundation in nature, and which, while pretending to sanction from revelation, is, in fact, contrary to its dictates."

I move that the Bill be read the second time.

MR. CAMERON (North Victoria) : In seconding the motion, I desire to say a few words in support of the principle of the Bill. There may be matters of detail connected with its phraseology which can better be disposed of elsewhere. But I presume that what we shall have to determine at present is whether the principle of the Bill ought to be favoured by Parliament. I take it for granted that, where a restriction upon marriage or any other right is sought to be maintained the onus of proving a foundation for that restriction rests upon those who are in favour of it. Now, upon what ground is a restriction upon marriage justified? There are two classes of arguments advanced against the Bill—one the religious, and the other the social. The religious argument originally rested upon what is now well settled on indisputable authority to be an entire misconception and misreading of a passage in the Book of Leviticus. That, no doubt, originally formed the foundation upon which the restriction was inserted in the Table of Consanguinity in the Prayer-book of the Church of England. But it is well settled now that that passage, instead of being a prohibition, is no authority, no justification for the restriction. In support of this position, I do not know that it is necessary to do more than refer to the authority of two or three most eminent Hebrew scholars of modern times. The first I shall quote, is Dr. Alexander McCaul, formerly Professor of Hebrew in King's College, London, under whom I had the honour of being a student, and who was recognised in his time as the very highest authority on the Jewish language and the construction of the Bible in Hebrew, of any person except a Jew. He was a brother of Dr. McCaul, of Toronto. Dr. McCaul, of King's College, said :

"Having again carefully examined the question, and consulted some of the highest authorities in Hebrew literature, as to the meaning of the Scripture passages, I am confirmed in the opinion formerly expressed—1st. That marriage with

a deceased wife's sister is not only not prohibited, 'either expressly or by implication,' but that, according to Leviticus xviii. 18 (concerning the translation of which there is not the least uncertainty), such marriage is plainly allowed. 2ndly. That this has been the opinion of the Jewish people, from the days of the Septuagint translators, nearly three hundred years before the Christian era, to the present time, as is testified by their greatest authorities, as Onkelos, probably contemporary with our Lord, Rashi, Maimonides, &c.; and, in our own time, those distinguished scholars, Zunz, Furst, Arnheim, Sachs, &c. This conclusion is much strengthened by the fact that in the New Testament there is nothing against it. Our Lord, who strongly condemned the Jews, where their tradition or practice was opposed to the law of God, as in the matter of divorce, has left no trace of disapproval of marriages of this kind. Neither has St. Paul, who, being brought up at the feet of Gamaliel, was intimately acquainted with the laws and practices of his brethren."

It must be admitted, that is very high authority in favour of the position that marriages of this kind are not prohibited by the language of the Old Testament, and that the passage in Leviticus has been misinterpreted. I would also refer, in support of that, to the opinion of Dr. Adler, Chief Rabbi of the Jews, a very eminent Hebrew scholar, who, speaking of marriages of this kind, says :

"It is not only not considered as prohibited, but it is distinctly understood to be permitted, and on this point neither the Divine law, nor the Rabbis, nor historical Judaism, leave room for the least doubt;" and "according to Rabbinical authorities, such marriage is considered proper and even laudable; and where young children are left by the deceased wife, such marriage is allowed to take place within a shorter period from the wife's death than would otherwise be permitted."

Another authority I would refer to, is Professor Max Muller, a distinguished Oriental scholar, who said it was a puzzle to him, how any critic could have supposed the passage in question to prohibit marriage with a deceased wife's sister. I think, therefore, Sir, that we may fairly assume that it is not prohibited by the Old Testament Scriptures, and that the whole prohibition to it is contained in the Prayer-book of the Church of England, or founded upon a misconception that prevailed at the time the Prayer-book was written, in regard to the proper interpretation of that passage. But there is even the very highest authority amongst the Bishops of the Church of England in favour of that same position

which I have advanced. No less than twenty-six Bishops of the Church of England, including two Archbishops, have expressly declared that in their opinion marriages of this kind are not prohibited by Scripture. I think, therefore, that it would be idle to further argue the question that there is not any Scriptural prohibition against such marriages. If, then, there is no Scriptural prohibition, upon what other grounds can objection possibly be raised? The only other argument that I have heard of as being advanced against it is that there is some social reason why marriages of this kind are not to be favoured. When the opponents of this Bill are compelled to fall back upon social reasons of that kind, they must be of an overwhelming character in order to be entitled to any weight. They must not be reasons as to which there is a strong difference of opinion. When we remember the numerous authorities in favour of the abolition of this restriction in England; when we find on the roll of names men distinguished for their high sense of morality, and their high position in public opinion, we may fairly assume that there is not that strong social reason against it which ought to sustain us in retaining a prohibition or restriction of this kind. My hon. friend who has moved the second reading of this Bill has dis-somewhat the question of its social expediency. It would be idle perhaps, at this period, after the discussion has proceeded in England for thirty or forty years, to review the arguments upon that point. I am content to rest the case in favour of this Bill on the common sense of the members of this House, who, I am quite sure, in their own experience of life, in their knowledge of human affairs, will not come to the conclusion that there are those overwhelming social reasons against marriages of this kind which ought to justify them in maintaining the restriction which is not founded upon Scripture authority. My hon. friend who has moved this Bill has referred to the state of the law in this country upon it. We have only had one case fore the Courts of Ontario, as far as I am aware, in which the subject has been considered. It was the case of *Hodgins vs. McNeil*, decided by Vice-Chancellor Esten, in the year 1863, and shows the position of the law as it stood, and still stands, in Ontario. In that case it was decided that



the Act of Lord Lyndhurst did not apply to the Colonies, and that, consequently, marriages of this kind were only voidable, and not void, and, unless rendered void during lifetime, the children were legitimate. Inasmuch as the only tribunal by which they could be voided was an Ecclesiastical Court, and as we have no Ecclesiastical Court in Ontario, after death such marriages were lawful and their issue legitimate. Still, that is not the proper position in which the matter, I submit, ought to be placed. If they are only voidable, if there is no Scriptural or moral law against them, I submit the prohibition which rests on no other authority than the Prayer-book of the Church of England ought to be removed, and marriages of this kind ought to be legalised. I understand that objections will be taken by some hon. members in this House to the terms of the Bill, inasmuch as it contains a clause referring to the necessity of obtaining a dispensation in any church in which a dispensation is necessary to the validity of such a marriage. If, by the rules of any particular Church, marriages of any particular kind require a dispensation in order to make them valid according to the laws of the Church, I confess I see no reason why we should interfere and prevent that state of facts continuing. I understand that some objection will be taken to the form of the Bill on the ground that there is, in fact, only one Church in which a dispensation for marriage is known and practised: namely, the Roman Catholic Church, and that it will be placing Roman Catholics in a different position to what the rest of the community are in, and making their marriages subject to the will of higher authorities. I do not know that there is any reason why we should interfere, in any way, with the particular religious or ecclesiastical regulations of the Roman Catholic Church in reference to the question of marriages. Protestant as I am, I confess I have no fear of any harm resulting from the passage of the Bill in its present form. But, inasmuch as I believe my hon. friend who has introduced the Bill intends to move that it be referred to a Select Committee, in order that its provisions may be deliberately considered and made acceptable to the various religious communities in the Dominion, and to the various Provinces and their different marriage laws, any mat-

ter of that kind is, I think, a matter of detail, which can more properly be determined upon in a Select Committee than it can be in the House. I take it that we have at present to decide whether the principle of the Bill is one that ought to be accepted or not. In voting in favour of the second reading, we determine nothing more than the principle of the Bill; unless there is something in the Bill which is manifestly wrong, and then it should be rejected *in toto*. I have, therefore, much pleasure in seconding the motion of my hon. friend from Jacques Cartier (Mr. Girouard), for the second reading of this Bill, and I trust that, if any objection of the kind I have referred to is raised, it will be disposed of elsewhere, and that this House will follow the example set by the House of Commons of England, in seven or eight different divisions, which has by large majorities, usually of about 100, voted in favour of the removal of the prohibition in England, which is contrary, I submit, to the enlightenment of the present age.

MR. THOMPSON (Haldiamand): Every day, Mr. Speaker, when you open this House, you invoke the Divine blessing upon our deliberations, and I propose tonight to follow that course which to me seems most in accord with the Divine will. I oppose this Bill from a Scriptural point, on the Divine Law as laid down in Leviticus, chapter 20, verse 21. We are told in the Great Book that we are neither to take away from nor add to one word of it. Notwithstanding the able arguments of the hon. members for Jacques Cartier (Mr. Girouard) and North Victoria (Mr. Cameron), I beg to move that this Bill be not now read the second time, but that it be read the second time this day six months.

MR. MILLS: I desire to make a few observations on the merits of the Bill before the motion is put. I am rather inclined to support the Bill than the amendment. I confess I do not see the Scriptural objection that presents itself so formidably to the mind of my hon. friend from Haldiamand (Mr. Thompson). I will just say a word or two on what appears to be the popular Scriptural objection. I have a very great deal of respect for those who entertain that view, and who profess to be guided by what they believe to be the law of Moses in this par-

ticular. I would just make an observation or two in regard to what the Mosaic Law upon this subject is, as a question of jurisprudence rather than a question of theology. I have examined the subject with some care, and it seems to me that very mistaken notions arise by undertaking to apply particular words and phrases to the conceptions of modern society. If we were to examine with care the construction of ancient society in Palestine, I think we would find that some of the arguments that have been founded on analogy have no applicability in this case. The popular idea seems to be this: because the law of Moses forbids, except in certain cases, marriage with a deceased brother's wife, the deceased brother's wife stands in exactly the same relation as a deceased wife's sister; and that therefore the prohibition which applies to the one case must also apply to the other. Those who have given attention to the early conditions of society know right well that, if you look at society as it exists to-day in some parts of India, or as it existed formerly in Palestine, or in ancient Rome, there were other customs existing and recognised by law than those we recognise at this moment. There was the house and the tribe interposed between what we now call the family and the State. The policy of the law was to save them from obliteration. There were *gens* or houses in Palestine just as there were in Rome. The woman was a member of the house to which her father belonged, until she married. When two members of particular families were married, the woman was transferred to the house of her husband, and, being so transferred, she was considered a sister to all his brothers. Therefore, upon his death she was not allowed to marry those who by law were her own brothers, members of the house of her deceased husband. This was not at all the case with the deceased wife's sister. If the man belonged to the house of A, and the woman to the house of B, the moment she married she became a member of the house of A, and was excluded upon her husband's death from marrying anyone belonging to the house of A. But her sister remained in the house of B, she was no relation to the house of her deceased sister, and therefore the husband could marry her without legal impediment,

there being no legal objection. Now, gentlemen who will pay any attention to the origin of the prohibition that existed under the English Common Law in regard to the exclusion of half-bloods by the rules of inheritance, will find the law was founded on this ancient distinction. Half-brothers by the same mother were no relation to each other under the laws of primitive society, while paternal half-brothers were counted as full brothers as in the case of Jacob's children, whether of wives or servants. For further illustration, let me take the case of a woman in the house of A, who married into the house of B her first husband; her children by this marriage would be of the house of B. For heritable purposes, their kinship is confined to this house. She subsequently marries into the house of C. The children born in the house of C were by law no relation to the house of A, or to the half-bloods of the house of B. These half-brothers were no relation to each other, and one could not inherit from the other. But, where they had a common father, they were recognised as standing in exactly the same relation as whole bloods. It was on this ground that the prohibition applied to the deceased brother's wife, but it had no application to the deceased wife's sister. As long as that condition of society existed, as long as these houses were kept up, as long as property could not pass from one house to another house, or from one tribe to another tribe, either in ancient Rome or in Palestine, the inhibitions continued in force, as in the case of the restrictions upon the marriage of Zelophahad's daughter. They were founded on grounds of public policy, and, when these tribal distinctions ceased to be a matter of public policy, the prohibition ceased along with them. It is therefore perfectly clear that the prohibition which applied to a deceased brother's wife never at any time applied to a deceased wife's sister. The prohibition as to the brother's wife was not based on moral grounds, but on the law of property. It is expressly stated that the man is not to marry the sister of his wife so long as his wife is living, but a brother was absolutely forbidden to marry a deceased brother's wife, unless there were no children born of the marriage. Then the marriage was a matter of obligation, whether the party had a wife of

his own or not; and the children born of the marriage were accounted in law the children of their uncle; they inherited the property of their imputed father, and not of their real father. The whole theory of the Mosaic Law, and, indeed, all ancient law of which we have any knowledge, is founded upon conceptions of society to which we, under our western civilisation, are total strangers; and therefore it is absurd, it seems to me, to undertake to make quotations from an ancient system of jurisprudence, relating to a condition of society that has, at this day, no existence, and make them a ground for objecting to a marriage which is perfectly right and proper. If there be any objection to the principle of the Bill, it is that it might throw doubts upon marriages practically valid at this moment. There is no Court in Ontario in which objection can be taken to such marriages as are now under consideration, and they are practically valid; but to remove the possibility of any doubt, I am prepared to support the Bill. There are some provisions in it, however, which do not wholly meet my views. One clause runs thus:

“Provided there be no impediment by affinity between them, according to the rules and customs of the Church, congregation, priest, minister, or officer, celebrating such marriage.”

The form in which marriages are to be solemnised is beyond our authority, and therefore a question with which we ought not to deal; but, as to the principle of the measure, I think it is founded in reason and common sense, and so far as the religious objection is concerned, it is one founded on a total misapprehension of ancient law and the policy of the law, a misconception which has arisen from—a failure to study the structure of that society upon which the law operated.

MR. ABBOTT: It is not my intention to discuss marriages of this description from the point of view taken this evening. The Church of England has taken a decided stand against marriages of this kind. The Church of England has taken one side on this question, and the Nonconformists take the other, for the latter do not raise any objection to marriage with a deceased wife's sister. Similar differences of opinion exist here in regard to the religious view of the subject. But no such considerations should move us. As I see no physical objection, and in fact no ob-

jection but one derived from a religious source, I think it is better in a mixed community, such as ours, that people should be left to the free exercise of their opinions. The laws should deal with it only as it concerns public policy. It is impossible to assert that there is any question of public policy opposed to the marriage of a man with his deceased wife's sister. Physically, there can be no objection. Socially, objections have been made; but these have been rather of a character appealing to good taste than to any important principle. In that respect also, therefore, the question whether a man may marry the sister of his deceased wife should be left to himself, and the question should be decided according to his conscience and his good taste. And, there being no reason of public policy against it, I would be disposed to make such a marriage free, and vote for the Bill. At the same time, though I understand this Bill is to be left to a Committee, which will settle the details—it is not inappropriate to draw attention to some of its provisions which appear to be inconsistent with the general principle of the measure, and the arguments made use of in support of that principle by my hon. friend from Jacques Cartier (Mr. Girouard). If it be right and proper that marriage with a deceased wife's sister should be free, then why place it under the control of any Church to say whether or not, in any particular case, a member of that Church shall be allowed to have the benefit of the proposed Bill? In the Church of England it is absolutely prohibited, and in the Catholic Church, although I do not know what rule they have regarding it, I think it is illegal as well as in the English Church. The obvious effect of the clause will be that the right to marry a deceased wife's sister will not be free but left to the decision of a Church or clergyman, and from the way in which the Bill is framed it would not only be impossible for a member of a Church whose clergy were opposed to a marriage of that kind to marry without a dispensation, but it would be impossible for a man belonging to such a Church to go to some other minister or clergyman to be married. A man who belongs to a Church which regards it as an absolute impediment will, by the wording of the Bill, be debarred

altogether from contracting such a marriage. It is inconsistent with the arguments in favour of the principle of the Bill that the right should be restricted by any authority. The marriage should either be legal or illegal; and this House should pronounce whether these marriages should or should not be permitted in future. There is another detail to which it is important to call the attention of the House or the Committee: the second clause makes all such marriages, in the past valid. That is an objectionable provision; the principle involved—the retroactive operation of the clause—is objectionable. I do not think there should be retroactive legislation in matters of this kind or in fact in matters of any other description. The hon. gentleman has cited the English Act of 1835 as a kind of precedent, but that Act does not seem to me to establish any precedent for the retroactive clause introduced into the present Bill. Previously to 1835, as I understand, the marriage of a man with his deceased wife's sister was voidable only during the lives of both parties; but after the death of either party it could not be declared void; and the Act of 1835 simply rendered such marriages valid, or rather confirmed the validity of such marriages, they being actually valid at the time. The marriages affected by this particular clause of the Act of 1835 being merely voidable, my hon. friend will perceive that that provision could do no harm; it could take away no vested rights; but the clause now proposed by my hon. friend might take away vested rights. It might take away from the children of the first wife some of the rights which had become vested in them, and give them to the children of the second wife. Up to the time of the passage of this Bill, any rights that have vested in, or accrued to the children of a deceased wife, by reason of their legitimacy, should not be taken away by retroactive legislation; and any such retroaction should at least be restricted to the cases where both the parties are alive. I presume these subjects will receive the attention of the Committee. I shall vote for the second reading of the Bill, and, when the report of the Committee comes up, these details can be fully discussed.

Mr. BLAKE: I coincide with the view that the Scriptural argument is

based on a misconception of that passage in the Bible which has given rise to it, and to a mistaken application of the rule supposed to be laid down to the modern states and conditions of society, which are different from those of that ancient date. I do not think any weight is to be attached to that argument. The existence of such an argument, however, seems to have had some weight with the hon. member for Jacques Cartier (Mr. Girouard) who thinks that consideration renders it proper that we should create some restrictions upon the right to marry in these cases. To the social argument I attach more importance. I do not think it is reduced merely, as the member for Argenteuil says, to a question of taste. There is to my mind a much more serious question growing out of the relations between the husband and his wife's sister domiciled in his family during the lifetime of his wife. But, though I have hesitated on this, I have come to the conclusion that there is not enough to render it right for us to forbid such marriages. Therefore, had this Bill been simply a Bill to authorise marriage between a man and the sister of his deceased wife, I should feel disposed to give it my support. But I could not support it beyond this stage in its present shape; and I think it not inopportune that a discussion is raised at this time by some hon. gentlemen, not, perhaps, to the principle of the Bill, but to some of the provisions. We do not know whether or not there will be a Select Committee upon it. We do not know what may be the report of such a Committee, or whether there will be a fair opportunity of discussion here at the late date at which the measure may return to us; and, at any rate, there should be, in a matter of this kind, discussion on at least two separate stages. I may say that I concur in the objection of the hon. member from Argenteuil (Mr. Abbott) to the conditions proposed to be attached to this Bill, on the ground he stated, and for the additional reason that it is not within the scope of the authority of this Parliament to deal with the solemnisation of marriage as is in effect proposed. We have within the British North America Act two provisions upon the subject of marriage. "Marriage and Divorce" are left exclusively to the Canadian Parliament; the

solemnisation of marriage is left exclusively to the Provincial Legislatures. When the Confederation Resolutions were under discussion, in the old Canadian Parliament, the language was not the same; there was no grant of power to the Local Legislatures in reference to the solemnisation of marriage. Some anxiety being felt in reference to this subject, enquiries were made of the Government, and the hon. the Minister of Public Works, then Solicitor-General, gave, on behalf of the Government, the following explanations :—

“The word ‘Marriage’ has been placed in the draft of the proposed Constitution, to invest the Federal Parliament with the right of declaring what marriages shall be held and deemed to be valid throughout the whole extent of the Confederacy, without, however, interfering in any particular with the doctrines or rights of the religious creeds to which the contracting parties may belong.”

He proceeded to declare that the whole effect of the clause was to give power to decide that marriages contracted in any one Province, according to the laws of that Province, should be valid in the other Provinces, though their laws might be different, in case the parties came to reside there; and again he stated that when a marriage is contracted in any Province, contrary to its laws, though in conformity with the laws of another Province, it will not be considered valid. He subsequently assured the House that the resolutions contained only the principle of the Bill to be carried in the Imperial Parliament, which would be drawn up in accordance with the interpretation he had already put upon the clause. Mr. Dorion asked :

“Will a Local Legislature have the right of declaring a marriage between parties not professing the same religious belief invalid?”

Attorney-General Cartier replied :

“Has not the Legislature of Canada now the power of legislating in that matter, and yet has it ever thought of legislating in that way?”

Such was the explanation at that time given, from which it is obvious that a very limited power was intended to be conferred on this Parliament. The British North America Act passed, and subsequently, in the year 1869, with reference to a Bill of one of the Local Legislatures,

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for conferring upon the Lieutenant-Governor of the Province the power to issue marriage licenses, in his report upon that Bill, the then Minister of Justice pointed out that two questions arose. The first question is not very material; as to the second he says :

“The second question as to where the power of legislation on the subject rests has excited much interest in Canada, and conflicting opinions exist with respect to it. The power given to the Local Legislatures to legislate on the solemnisation of marriage was, it is understood, inserted in the Act at the instance of the representatives of Lower Canada, who, as Roman Catholics, desired to guard against the passage of an Act legalising civil marriages without the intervention of a clergyman and the performance of the religious rite. They therefore desired that the Legislature of each Province should deal with this portion of the law of marriage. The Act must, however, of course, be construed according to its terms, and not according to the assumed intention of its framers. The undersigned is of opinion that the right to legislate respecting the authority to marry, whether by publication of banns, by license, or by episcopal dispensation, is part of the general law of marriage, respecting which the Parliament of Canada has exclusive jurisdiction. The publication of banns, or the license, as the case may be, is no part of the solemnisation, it is merely the authority to solemnise. The solemnisation is not commenced by the issue of the license or the publication of the banns; all the English Marriage Acts treat the authority, and the solemnisation, under the authority, as quite different matters. Thus, it is provided, in Geo. IV. chap. 76, sections 9 and 19, that ‘Whenever a marriage shall not be had within three months after publication of banns, or the granting of license, no minister shall proceed to the solemnisation of such marriage until a new license shall have been obtained, or a new publication of banns had,’ and, by the 21st section, the solemnisation of marriages without due publication of banns, or license of marriage, is made a felony. In order to convict a person under this clause, it must be alleged and proved that the solemnisation was not only commenced, but completed, and, if the license or banns were a necessary portion of the solemnisation, the offence would never be completed without them. The subsequent Marriage Acts seem to draw the same distinction between the authority and the solemnisation. The undersigned is therefore of opinion that this reserved Act is beyond the jurisdiction of the Local Legislature, and should not receive the assent of Your Excellency. As this subject is one of the very greatest importance, affecting the validity of marriages, past and future, the undersigned would suggest that the Colonial Minister be requested to submit the two questions above raised to the Law Officers of the Crown for their opinion.”

That opinion was given, and it is reported, as follows:—

"The Law Officers are disposed to concur with the Minister in his views of the first question stated by him, but they are unable to concur in his opinion that the authority to grant marriage licenses is now vested in the Governor-General of Canada, and that the power of legislating on the subject of marriage licenses is solely in the Parliament of the Dominion. It appears to them that the power of legislating upon the subject is conferred on the Provincial Legislatures by 31 and 32 Vic., cap. 3, section 92, under the words 'the solemnisation of marriage in the Province.' The phrase 'the laws respecting the solemnisation of marriages in England' occurs in the preamble of the Marriage Act, 4 Geo. IV, cap. 76, an Act which is very largely concerned with matters relating to banns and licenses, and this is therefore a strong authority to show that the same words used in the British North America Act, 1867, were intended to have the same meaning. 'Marriage and Divorce' which by the 91st section of the same Act are reserved to the Parliament of the Dominion, signify, in their opinion, all matters relating to the status of marriage, between what persons, and under what circumstances it shall be created, and (if at all) destroyed. There are many reasons of convenience and sense, why one law as to the status of marriage shall exist throughout the Dominion, which have no application as regards the uniformity of the procedure whereby that status is created or evidenced. Convenience, indeed, and reason would seem alike in favour of a difference of procedure being allowable in Provinces differing so widely in external and internal circumstances, as those of which the Dominion is composed, and of permitting the Provinces to settle their own procedure for themselves; and they are of opinion that this permission has been granted to the Provinces by the Imperial Parliament, and that the New Brunswick Legislature was competent to pass the Bill in question."

That opinion was acted upon, the Act was not disallowed, and other similar Acts have since been permitted to go into operation. Now it appears to me that the view taken by the law officers was correct. I do not see any other intelligible line. I do not see that we are invested with anything more than the power to decide the status of marriage, and between what persons and under what circumstances the contract of marriage may be created. I presume that the hon. the Minister of Public Works will agree that this view of our powers, though broader than what he indicated at Quebec, is nearer to his view, and more reasonable than that of the former Minister of Justice. As I read the passages to which I have alluded, it was in contemplation at Quebec that the Local Legislatures should have authority to deal with the bulk of the

matters here mentioned, and it was simply reserved to this Parliament to determine whether marriages good in one Province should be good in all the Provinces. More is given by the British North America Act, more, much more is given by the opinion of the law officers to this Parliament, than the hon. the Minister of Public Works expected, but not so much as his colleague claimed. I believe, however, that the true line has been found. Now, it is entirely inconsistent with the existence of any such line to insert in this Bill some of the provisions it contains. We cannot provide as to banns, dispensations, or licenses, preliminaries to the solemnisation of marriage. Contrary to the contention of the hon. the Minister of Justice, the right to legislate on these subjects was held in 1869 to reside in the Local Legislatures, and that view has been accepted for eleven or twelve years. We are now called upon to deal with the question, because the question of expediency is another and a subsequent point. If we have not the power to legislate as the hon. gentleman proposes, then the question of expediency will not arise. I believe we have not the power, and that it belongs to the Local Legislature to decide by what means marriage between those persons between whom marriage may, under the general law, be lawfully contracted, shall be contracted. Now, a serious question may arise, should a Local Legislature thwart the provisions of a general law, by declining to provide means for the solemnisation of marriages between particular classes of persons who are lawfully entitled to marry. It is obvious that, if we have not, as in fact we have not, any power to prescribe how marriages shall be solemnised, we have no power to give effect to our declaration that it shall be lawful to contract marriages between any two classes of persons. It is for the Local Legislature, in some shape, to render that possible which the Federal Parliament has declared to be lawful. And there may be a defect in our system which may lead to serious difficulties. But it is unnecessary, perhaps, to deal with such a possibility before the occasion arises. We are at present concerned only with the question as to where the power rests, and I maintain that it is an infringement on

the powers of the Local Legislatures to attempt to make any provision connected with the solemnisation of the marriage, whether it be preliminary to or whether it accompanies the act. Now there is one of these provisos that is clearly wrong, that which provides that it shall not be compulsory on any officiating minister to celebrate such a marriage. If the Local Legislature alone is to determine who is to celebrate marriage, it may determine that marriage may be celebrated civilly; it may not give power to any minister of any church to celebrate any marriage; it may determine that marriages should be celebrated by one class of ministers alone; it may declare that all marriages may be celebrated, no matter what the religion of the contracting parties be, by any lawful minister of any Christian denomination; it may decide that it shall not be compulsory on any minister of any faith to celebrate any marriage; it may make it obligatory on all authorised persons to celebrate all marriages. It may make all sorts of provisions. It is able to meet the difficulty raised by the hon. member for Jacques Cartier, as to the objections of a minister to celebrate marriage between these classes. I believe, as he has said, that such objections are largely shared by my spiritual pastors and masters. Now the Local Legislature may, if it deems fit, respect this scruple by such a clause as I am discussing. But we have no such right, and it would be eminently imprudent for us, in my opinion, to attempt to interfere with the solemnisation of marriage. If I have established that it belongs to the Local Legislature to say who shall solemnise marriage, I have established also that it belongs to the Local Legislature to say whether that shall be a duty or a power, imperative or obligatory, compulsory or optional. Therefore I think we have no power to pass this proviso, which declares that, if, in any Church or religious body, whose minister is authorised to celebrate marriages, any dispensation be required, for such a marriage, the dispensation shall be first obtained. I concur cordially in the view of the hon. member for Argenteuil (Mr. Abbott). For my part I believe nothing is of greater consequence with respect to this contract, which is the foundation of law, of society, and of the whole social fabric—nothing is

of greater consequence, than certainty. I am wholly indisposed to any provision of law which may make of doubtful validity a marriage which the Parliament of Canada has declared may be lawfully contracted. But we are not called upon, in my opinion, to do so, and I think this subject is improperly intruded upon our notice; because, I say again, we should be trenching, in passing this provision on Local powers; though I agree that the simple right to declare whether the marriage shall be good may embrace a power in us to declare that it should be good between some and bad between others of the same class. But how inexpedient is this. What a degree of uncertainty we would be introducing into the law? To require in the case of every marriage a decision what is the religion of the parties; whether or not the law or custom of the Church requires a dispensation; and, if so, whether the dispensation has been properly obtained, and to require proof of all these things in order to make the marriages valid. I agree also with the view that this clause is obscure. I cannot clearly construe it. We know the questions that have arisen under the Quebec Code; we know the hon. gentleman's opinion of the meaning of the Code; we know that the view entertained by many in the Province of Quebec is that, where the parties are of one faith, it is lawful only for a minister of the Church to which those parties belong to celebrate their marriage. Nay, more, that this is lawful only for the *curé* of one or other of the parties where both are Roman Catholics. In the case of mixed marriages, from the necessity of the case, a more liberal interpretation has been given, and it is admitted that the marriage may be celebrated by a minister of the Church to which either of the parties belongs, but it is contended that the marriage, for example, of two Roman Catholics by a minister of the Presbyterian, or of the Anglican Church, is, according to the law of Lower Canada, invalid. Then with reference to this particular Bill, as affecting the Roman Catholics, we know that the Code has placed upon them in this particular a disability to which the hon. gentleman very much objects. There is no doubt, I think, at all, that, under the Code, those prohibitions, which are subject to dispensations, do not include this particular pro-

hibition, which is absolute. I think, therefore, according to the laws of Quebec, at this moment, notwithstanding a Papal dispensation, which is, under the rules of the Roman Catholic Church, essential to the validity of such a marriage, such a marriage is absolutely void. We know also that the law of Quebec, as it has been interpreted in some cases, and as it is contended for now, is of a character which I think it would be very difficult to persuade this House, or any other Legislature, to adopt. We know that it has been decided in one case, at any rate, in Quebec, that, upon any question as to the validity of a marriage, there must be a reference to the episcopal authority; that, unless and until the episcopal authority shall pronounce the marriage to be void, the Civil Court cannot do so; but it can act only after the decision, and according to the decision, of the episcopal authority. So that, according to the law of that Province, as it has been interpreted in one case, and as it is contended for to-day, the question whether a marriage celebrated by a Presbyterian clergyman between two Roman Catholics is valid is to be referred to and decided by the Roman Catholic Bishop, whose decree is to be necessarily followed and effectuated by the Civil Court. It is contended that the decision of the Civil Court on the construction of the Statute with reference to the validity of the marriage is dependent upon the decision of the Bishop. Now, that is a state of things which it is not at all likely will be introduced by Parliament throughout Canada. It is not easy to maintain that all these questions should be raised, that all these difficulties should be created by the introduction of these provisos, when an easy mode of relieving the Legislature from their consideration is to be found in eliminating them from this Act, and leaving the Local Legislatures to deal, so far as they can, with the subject, by making laws as to the solemnisation of marriage. I do not well understand the meaning of this proviso. I do not know whether it means that the parties are to be married only by a minister of the Church to which they may belong; I do not know whether it means that a dispensation is to be required where the faith of the parties themselves requires it, or where the faith of the minister who celebrates the marriage requires it. I do not know what is to be

done when the faith of one party requires, while that of the other does not require, a dispensation. Supposing it were determined by the Anglican Church, in any Province, that such marriages were not permissible at all, no dispensations being obtainable in that Church; consequently, would it be possible for members of that Church to marry? I think that these and other questions are best got rid of here by eliminating these clauses. Else these difficulties will, I venture to say, defeat the hon. gentleman's attempt to procure this legislation. Then the hon. gentleman proposes that all such marriages heretofore contracted are to be declared valid, although these marriages may be absolutely void in the Province in which they have been contracted. Now, under such circumstances, either or both of the parties may have contracted another marriage. What is to be done in that case? Supposing a legal marriage has been contracted by the so-called husband or the so-called wife, what is their position after the passage of the hon. gentleman's Bill? Why, by the law proposed by the hon. gentleman, the void marriage being validated, the subsequent nuptials are made void, of course, and the parties who had formed new ties find these broken and the old ones joined again. What is to be the course in a case which is not pending, but has already been disposed of, such as that to which I refer, one with which the hon. gentleman is familiar, that of Vallaincourt and Lafontaine, in which the marriage was adjudged to be void some years ago? Is that marriage to be revived again? It seems to me that these considerations are to be added to those which the hon. member for Argenteuil suggested with reference to the rights of property. I think it is a different thing to declare these marriages valid, in cases in which they are only voidable, from declaring them valid in cases in which, by the law as in Quebec, they are absolutely void. I am then of the opinion that these provisos are in large measure beyond our powers, and so far as they may be within our powers are highly inexpedient, and on both these grounds I contend that this Bill should pass with only the first part of the first clause, and that all the rest of it should be struck out,

MR. ANGLIN: It is difficult for a



body composed as this is, of Protestants and Catholics, to deal satisfactorily with question of marriage. The principles upon which Protestant opinions rest with regard to this question, differ in many respects very widely indeed from the principles by which Catholics are governed. That very dispensing power which some hon. gentlemen seem to regard with so much disfavour is the great protection which Catholics have in matters of this kind. The social feelings are offended by such marriages as those of a man with his deceased wife's sister, or a woman with the brother of a deceased husband. It cannot be denied that the feeling is strong that such marriages should be discountenanced as much as possible, that possibly great social evils would arise, were the impression to go abroad that such marriages were not merely tolerated, but were, under all circumstances, unobjectionable. The Catholic Church regards them as highly objectionable, and forbids them, but not absolutely, reserving to its highest authority, and to that alone—I believe, in most instances, to the Pope himself—the power to issue a dispensation in such cases, and such a dispensation is issued only where circumstances seem absolutely to require it. As a matter of fact, I suppose it is known to all hon. members in this House that, though such a dispensing power does exist, it has been but rarely exercised in this country, and it is not very frequently exercised in any other country. Now, Protestants of the various Churches having no such balancing power, so to speak, as this, are compelled to find in the Statute Law of the country that protection against social disorders which they apprehend from the frequency of such marriages. It therefore becomes an exceedingly difficult question, one of the most difficult it is possible to deal with. The hon. member for Argenteuil (Mr. Abbott) seemed to think that no such dispensing power does exist in the Catholic Church, and that Catholics do not regard the Church as having any such power, or think that it should not be exercised. In that he is mistaken. The power exists and has existed from the first, but it is exercised only under highly exceptional circumstances. My impressions are that the hon. member for West Durham (Mr.

Blake) is mistaken in his views of the law relating to marriage, when he argues that it is for the Local Legislatures to say whether this proviso with regard to dispensation should or should not become the law of the land; he misunderstands, I think, what is meant by dispensation in the cases to which he referred. He quoted to us the opinion of a former Minister of Justice, and the opinion of the Law Officers of the Crown with regard to the rights of the Dominion Parliament and Local Legislatures in this matter. To summarise that opinion, as I understood him, it amounts to this: that we have here, and that we alone, according to the British North America Act, have the right to declare what persons may be married one to the other; but in all that relates to the mode and manner of the solemnisation of marriage, and the conditions under which it shall be solemnised, the Local Legislatures alone have the power to legislate. Well, Sir, taking that to be perfectly correct, as I believe it is, we find that, in speaking of dispensation, the hon. gentleman does not seem quite to understand it. There the license issued by a Bishop in the Catholic Church, by the proctors or agents of Bishops of the Church of England in the Old Country, and by the officers appointed under the power of the Local Legislatures in this country, is spoken of and regarded as a dispensation, but it is a dispensation which relieves the parties from one of the requirements of the law, with regard to the solemnisation of marriage, that of the publication of banns, and, therefore, such dispensation can only be granted and regulated by the Local Legislatures. It is a dispensation with regard to the mode and manner of solemnisation. On the other hand, the dispensation mentioned in this Bill is a dispensation which affects the position of the individuals one towards the other. We claim the right of saying what persons shall be married one to another, such a dispensation as that which permits the brother of a deceased husband to be married to the widow, etc. we only can authorise or grant according to law. There is a wide distinction between these two forms of dispensation, which, I think, the hon. member for West Durham has not perceived. I was rather surprised that, being always so clear and perspicuous, he

didnot perceive this distinction. Perhaps he does not yet agree with me, and then I am mistaken. My impression is clear that the dispensation which affects merely the relation of one person to the other, which removes any objection as to the one person marrying the other, is a dispensation with which we have a legal right to deal ; while any dispensation as to the mode of solemnisation, a dispensation, for instance, from the jurisdiction of Courts, is a dispensation with which the Local Legislatures have got to deal. I think it is well that we have had this discussion to-night, and it would be well to have further discussion on this important matter before it is finally disposed of. Some suggestions have been made that this Bill should be referred to a Special Committee to deal with. But I think it would be better for the hon. mover of the Bill, with the consent of the House, to move the adjournment of the debate, and let us, when convenient, take it up for further consideration. Some hon. members on both sides of the House seem to think that there is no social objection whatever to the passage of such a measure. I am satisfied that a great many other hon. members differ widely from that view ; that even those who do not think the religious objection to be valid are, notwithstanding, strongly of opinion on other grounds that it is not desirable to encourage the formation of alliances of this kind. The learned discussions respecting the meaning of that particular passage in the Scriptures I think the Catholics are willing to leave entirely to the hon. gentlemen belonging to the Church of England, and to others, to settle among themselves. For us, all that is simply a matter of literary curiosity. We hear now that, for centuries, there has been a great mistake as to the meaning of that particular passage ; that later commentators, men who have acquired a more profound knowledge of the Hebrew, or the Syriac, to-day declare that the old translation, and consequently the interpretation of that particular passage of the Holy Scriptures, was founded on an erroneous idea of the meaning of the words used in the original. That may be quite correct, but that does not at all affect us in arriving at a decision upon this subject. I speak, of course, of the Catholic mem-

bers of the House. The whole matter is an exceedingly difficult one to deal with. I am satisfied many hon. gentlemen in this House feel a strong objection to passing any Act of Parliament, the operation of which will be made dependent on the decision of ecclesiastics of any particular Church or denomination. We quite understand how strong an objection they may have to that, and I think that we ought to discuss the matter in every point of view in this House. The Bill is a very short one, but it is one of the most important in its character and consequences that has been submitted to this Parliament since its creation.

MR. HOUDE moved the adjournment of the debate.

SIR JOHN A. MACDONALD : I think the hon. gentleman is quite right in moving the adjournment of the debate. It is a matter of great importance, and our attention has been called to so many interesting considerations that it is well to take time to think them over and consider them on another occasion.

*Motion agreed to and Debate adjourned.*

House adjourned at

Thirty-five minutes after

Ten o'clock.

## HOUSE OF COMMONS.

*Monday, 1st March, 1880.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

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

Bill (No. 45) To incorporate the Great Western Telegraph Company of Canada.—(*Mr. Ryan, Marquette.*)

Bill (No. 46) To incorporate the Winnipeg and Hudson's Bay Railroad and Steamship Company.—(*Mr. Bannerman.*)

Bill (No. 47) Respecting the Great Western and Lake Ontario Shore Junction Railway Company.—(*Mr. Carling.*)

### PRIVATE BILLS.

#### SECOND READINGS.

The following Bills were severally *read the second time* :—

Bill (No. 39) To incorporate the Montreal and Province Line Railway Company.—(*Mr. Scriver*)

Bill (No. 40) To incorporate the *Mail Printing Company*.—(*Mr. McCarthy.*)

#### INSPECTION OF SMOKED HERRING.

##### QUESTION.

MR. LONGLEY enquired, Whether the inspection of smoked herring is compulsory; and, if so, whether it is the intention of the Government to enforce the law; what is the actual inspection fee to be charged per box; what proportion of the boxes are required to be inspected?

MR. BABY: It is compulsory wherever there is an inspector. The party aggrieved can make complaint if he is not satisfied. There is no inspection fee by the box, but only by the barrel and half barrel.

#### NOVA SCOTIA—WEIGHTS AND MEASURES INSPECTORS.

##### QUESTION.

MR. MACDONNELL (*Inverness*) enquired, Whether Inspectors of Weights and Measures have been appointed for the different districts in the Province of Nova Scotia, and who the inspectors for the said districts respectively are?

MR. BABY: The Province of Nova Scotia has been divided into four districts, Halifax, Pictou, Yarmouth, and Cape Breton. The following gentlemen have been appointed:—R. M. King, inspector for Halifax, and P. Tompkins as his assistant; Charles Allison, for Yarmouth; L. E. Lemain, for Cape Breton. The inspector for Pictou has not yet been appointed.

#### NEW BRUNSWICK—MILITIA DRILL CAMPS.

##### QUESTION.

MR. CONNELL enquired, Whether it is the intention of the Government to establish Drill Camps this year, in New Brunswick, for the Militia.

MR. MASSON: It is not the intention of the Government to establish Brigade Camps this year. The Government, however, will encourage the formation of Battalion Camps, as they did last year.

#### SHELBURNE—HARBOUR AT STONY ISLAND.

##### QUESTION.

MR. ROBERTSON (*Shelburne*) enquired, Whether it is the intention of the Government to make any appropriation

MR. LONGLEY.

towards the erection of a breakwater, or the making of a harbour at Stony Island, Shelburne county, during the present year.

MR. LANGEVIN: There is no intention on the part of the Government to expend any money at present for that purpose.

#### ROCHE BAY PIER.

##### QUESTION.

MR. ROGERS enquired, Whether it is the intention of the Government to expend a sum of money this year to complete the building of the pier in Roche Bay, at Anderson's Hollow.

MR. LANGEVIN: This matter had the attention of the Government last year, but we were not in a position to do anything then. The matter is still under the consideration of the Government.

#### L'ASSOMPTION RIVER NAVIGATION.

##### QUESTION.

MR. HURTEAU enquired, Whether the Government intend to complete, during the course of next summer, the work remaining to be done on the River L'Assomption, so as to render it navigable as far as the village of L'Assomption.

MR. LANGEVIN: The Government intend to continue the work.

#### CODIFICATION OF CRIMINAL LAWS.

##### QUESTION.

MR. PERRAULT enquired, Whether the Government intends to introduce, during the present Session, measures respecting the codification of the Laws and of the procedure in criminal matters.

MR. McDONALD (*Pictou*): It is not the intention of the Government to introduce any such measure this Session.

#### PORT CREDIT HARBOUR REPAIR.

##### QUESTION.

MR. ELLIOTT enquired, Whether it is the intention of the Government to place a sum in the Estimates, this Session, to repair the Port Credit Harbour.

MR. LANGEVIN: It does not appear that this harbour is Government property, and the Government do not see their way clear to undertake the work at present.

### HALIFAX SUGAR REFINERY—FREE ADMISSION OF MATERIAL.

#### QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether the Government have made any promise to admit materials and machinery for the construction of any sugar refinery at Halifax free of duty; and if so, whether such advantage will be open to all similar establishments.

MR. BOWELL: The Government has not made any promise to admit material and machinery for the construction of a sugar refinery at Halifax free of duty, and consequently no such advantage will be open to others. Duty will have to be paid upon all machinery imported for such enterprises.

### QUEBEC—NEW STATION HOUSES.

#### QUESTION

MR. LANDRY enquired, Whether it is the intention of the Government to cause to be erected, next spring, railway station-houses at St. François, Rivière du Sud; St. Pierre, Rivière du Sud; and Cap St. Ignace, and to repair the station at St. Thomas.

SIR CHARLES TUPPER: I have made enquiry in reference to this matter, and as soon as the information is received I will inform the hon. gentleman what is intended to be done.

### RELIEF OF THE DISTRESS IN IRELAND.

#### MESSAGE FROM THE SENATE.

A Message was received from the Senate, acquainting this House that they have agreed to the Address to His Excellency the Governor-General on the subject of the relief of the present great distress in Ireland, by filling up the blank with the words "Senate and."

### THE LATE ACCIDENT TO THE VICE- REGAL PARTY.

#### MESSAGE FROM THE SENATE.

A Message was received from the Senate, acquainting this House that they have passed an Address to His Excellency the Governor-General of congratulation on the escape of Her Royal Highness the Princess Louise and of His Excellency from the serious danger occasioned by the untoward accident which happened to them on the evening of Saturday, the 14th of February last.

Ordered, That the said Message and Address be taken into consideration to-morrow.—(Sir John A. Macdonald.)

### PRINCE EDWARD ISLAND—BRANCH RAILWAY TO CAMPBELLTON.

#### MOTION FOR PAPERS.

MR. HACKETT moved for an Order of the House for all petitions and other correspondence from the people of Campbellton, Prince County, Prince Edward Island, asking for the construction of a branch line of railway to that place. He said: About one year ago, the people of Campbellton forwarded a petition to the hon. the Minister of Railways asking for increased railway accommodation. Persons acquainted with the locality know that Campbellton is situated on the west side of the Island, and the people living in that section are subject to great loss, owing to their not possessing proper facilities for getting the product of their labour to market. There is not a harbour on that coast for a distance of thirty or forty miles, and farmers and others are compelled to haul their produce to market, a distance of ten or fifteen miles. This is due to the fact that the railway did not afford them the accommodation that it should. The railway was constructed at the proper cost of the people of Prince Edward Island, the inhabitants of Campbellton contributing their share, but up to the present time it is of little or no benefit to them. The proposed branch would only require to be about three miles in length. It would traverse a level country and could be built very cheaply. The old iron rails taken from other parts of the line would do for this branch, and no additional rolling stock would be required. The proper material for ballasting can be had on the spot, so that the only expense will be grading and track laying. I hope the hon. the Minister of Railways will attend to the prayer of this petition, and give the required accommodation to these people. I can congratulate the hon. the Minister of Railways upon the success that attended the working of the Island Railway during the past year, under the able superintendence of Mr. MacNab, who is a diligent and painstaking official. The road is progressing most favourably, and, at the present time, is giving more and better accommodation to the public than it ever did before. I believe there will be a large reduction in the expenditure this year, and I hope that, in

a short time, with good management and proper economy, the large deficit we have had for the last few years, in connection with the Prince Edward Island Railway, will entirely disappear. It is my opinion that, if the rates for freight and passengers were reduced, the receipts from the road would be much larger than they are at present. Many of the Island products are bulky and heavy, and cannot be moved over the railway under the present Tariff. I trust that some action will be taken with regard to this branch, and that the people of Campbellton will have justice done them.

MR. YEO: I agree with what my hon. colleague from Prince County has said about the branch line to Campbellton. The harbour accommodation of that part of the coast of the Island is very insufficient and capable of improvement. A railway is the only convenience that can be extended to the farmers and fishermen of that part of Prince Edward Island. At present, they are at a considerable distance from the railway, and at the shipping seasons the highroads are so greatly cut up with the traffic upon them as to be almost impassable. Much is lost every year by those engaged in the fisheries for want of greater facilities of conveying their fish to market. A branch road could be easily and cheaply built to Campbellton. It need not be longer than three miles, and the country is so level that it offers no engineering difficulties whatever. The branch would also be useful in supplying the main line of railway with ballast, as it would lead to one of the very few gravel beds to be found on the Island. There is plenty of good building stone in the neighbourhood required for railroad construction and repairs, and timber for sleepers, which is getting scarce in many parts of the Province, is still to be had in abundance in the district through which the road would run. For that and other reasons I believe that the Campbellton branch line would be a good feeder to the main line, and would be such an advantage to it in other ways that in a short time it would repay the expense of construction. I hope that the Government will give the matter their serious consideration, and see their way clear to commence the work at an early day.

*Motion agreed to.*

MR. HACKETT.

#### INDIAN TREATIES FOUR AND SIX— PAYMENT OF ANNUITIES.

##### MOTION FOR STATEMENT.

MR. MILLS moved for an Order of the House for a statement of the times fixed for payment of annuities under Treaties Nos. 4 and 6, during the current year; when payment was actually made; amount paid for freighting; amount claimed by freighters still unpaid; the amount expended in feeding the Indians at the various places of payment; and the amount paid for supplies purchased from the Hudson's Bay Company to feed the Indians, before the arrival of the supplies tendered for; and the amount paid for supplies since, in consequence of famine among the Indians. He said: I make this motion because I observed that the hon. gentleman, not many months before the meeting of Parliament, attributed to me an attitude of "meddlesome oversight" in regard to this matter, and that he had conducted the business much more wisely and efficiently since his accession to power. I am informed on what I believe to be good authority—but at any rate the returns will show whether or not I am misinformed—that the hon. gentleman exercised that "meddlesome oversight" which he attributed to me. At any rate, there appears to have been a case of mistaken identity in the statement the hon. gentleman made. The returns I believe will show that he interfered with the letting of the contracts for supplies and freighting; that the supplies did not arrive in time; that the Indians assembled and had to be fed for days and weeks; that supplies were bought in the meantime at the Hudson's Bay Company's posts and that this was the main cause of expense attributed to famine. But the returns will show who exercised the "meddlesome oversight."

*Motion agreed to.*

#### PARLIAMENT GROUNDS—CLAIM OF CALVERT VAUX.

##### MOTION FOR PAPERS.

MR. DOMVILLE: I desire to get before the House certain plans and correspondence in connection with the claim of Calvert Vaux, who designed the grounds in front of the public buildings, and from which it will be seen that his ideas have been carried out to the letter. Although

his claims were presented in 1873, by some mistake or difficulty nothing has come of them yet. I move for an Order of the House for all plans, correspondence, papers, and telegrams in connection with the unpaid claim of Calvert Vaux for services rendered in respect to the grounds in front of the Parliament Buildings.

MR. MACKENZIE: The term "unpaid claims" is not quite correct. Mr. Vaux gave a sketch of the plan upon which he would lay out the grounds in front of the Parliament House to Mr. Scott, the chief architect, who was not authorised to enter into any arrangement with him. But, having adopted the general plan—not the whole of it and no details—it was decided to pay him what it was worth, and he was paid the rather large sum of \$500, which I consider a liberal compensation. We declined to pay him \$1,500 on the ground that no such amount was earned.

MR. DOMVILLE: I regret that in the opinion of the hon. member for Lambton my statements should always be incorrect; but I believe they are correct on this occasion also. In May, 1874, Calvert Vaux received a letter from the Department, stating his plans were received, and enclosing him a cheque for \$500, and stating the Government did not intend to carry out his design. He was paid that sum for his trouble, on the understanding that his plans should not be carried out, and had they not been, I might perhaps agree with the hon. member for Lambton that Mr. Vaux had been well paid. Later, Mr. Vaux addressed a letter to the Public Work's Department, stating he learned that his plans had been carried out in every detail, and that he should be paid in full for his services, according to the correspondence that had taken place, his claims and plans having been sent to the Department with a schedule of prices attached. The papers will prove my assertions correct, notwithstanding the contradiction of the hon. member for Lambton. Mr. Vaux has a right to fair remuneration for his services.

MR. MACKENZIE: I have simply stated the facts as they occurred. It was not I but my predecessor in the office who had the communications with Mr. Vaux. His so-called plan was a mere sketch for approval, and nothing further was ever

asked from this New York architect, whom we deemed it inadvisable to employ when we had an able architect here in the Department.

MR. LANGEVIN: I do not remember having had anything to do with Mr. Vaux. By allowing the motion to pass, we shall not bind the Government, or say the claim is good or bad. I know nothing of the merits of the case, but think it only fair to investigate the case, should such be desired.

*Motion agreed to.*

#### LOBSTER CANNING—DRAWBACKS ON EXPORTED TIN PLATE.

##### MOTION FOR CORRESPONDENCE.

MR. OGDEN, in moving for an Order of the House for a return of all correspondence between Isaac H. Mathers, of Halifax, N.S., and the Government, upon the subject of drawbacks on tin-plate used in the canning of lobsters, and exported from Canada, together with a statement showing the amount claimed and the amount paid, said: There has been, for some cause, a great deal of delay and difficulty in obtaining the drawback on those exportations, and, as there is a large quantity of tin-plates imported into the Dominion, and used in the canning of fish, having to pay a duty of ten per cent, it is necessary, in order that this business may be successful, and be allowed to compete fairly with the same business in the United States, that the drawback should be promptly paid. I know one or two persons entitled to from \$300 to \$400, who have not received this year one cent. I have been informed by the Department that it is necessary to produce the original bills of lading to receive the drawback. There is a difficulty in regard to this matter, as many engaged in this business are obliged to draw very heavily against their exports through the banks, which require the bills of lading to be delivered to them before they will advance. I think that until last year it was necessary to produce a landing certificate for European or foreign countries, when landed; but the Government have thought it more desirable to settle matters by demanding the original bills of lading, which, however, the banks require. When I speak of canned goods being admitted into the Dominion from the United States free of duty, under the Washington Treaty, I

mean that, if I wish to ship such goods to the Upper Provinces, all I have to do is to ship them to Portland or Boston, getting some friend to send them here in bond, where they enter free. If I wish to ship directly from Nova Scotia to the Upper Provinces, I have to pay ten per cent. duty on the tin-plates and about twenty-five per cent. duty on other materials. But in order to compete fairly with our neighbours, we must export to the United States in bond, and have the goods come back again free of duty. I hope the Government will seriously consider and rectify this wrong. Mr. Mathers is a gentleman of extensive business capacity, who stands high in the estimation of all business men, and, when such a man fails to obtain the proper amount of drawback, owing to some irregularity in the Customs Department, men of lesser ability would find it very difficult to obtain anything at all.

MR. BOWELL: There can be no objection to bring down the papers referred to, but I think that, if the hon. gentleman (Mr. Ogden) were acquainted with all the facts connected with the payment of these drawbacks, the House would have been spared the remarks just made. His first complaint is as to the difficulty of obtaining those drawbacks. Under the old system, no drawbacks were paid to parties exporting canned lobsters until they had obtained a certificate from the consul in the foreign country to which they were consigned. The result was that it required very often from a year to two years before they could possibly obtain the drawback to which they were entitled. After looking into this matter very carefully, the Department adopted a system somewhat similar to that in operation in the United States, of paying the drawback on one of the original bills of lading being presented to the Department. Objection has been taken to this on the ground that the banks which make advances require all the original bills of lading. Our answer to that is that the Government desire the same protection as that required by the banks, and it does seem to me that, if it were represented to the banks by parties exporting lobsters that one of these original bills was required for the purpose of obtaining the drawback, if it were written across the face of the bill by the bank or

MR. OGDEN.

the party making the advance, that it was for that purpose alone, no difficulty would be experienced in getting it back, provided the claims were correct. The House will readily understand how easy it would be to manufacture copies of bills of lading, if such were accepted by the Department; of course I do not lay that to the charge of the gentleman referred to by my hon. friend; but, when I inform the House some of the gentlemen who are claiming drawbacks made demands on a larger quantity of tin than they imported, my hon. friend and the House will see the necessity of the Department adopting such rules as will protect the revenue of the country. I think the explanation I have given will show that the system which prevails at present is much more liberal; and that the result will be that the drawbacks will be obtained at an earlier day than was possible under the old system. With reference to the complaints of Mr. Mathers, of Halifax, difficulties have arisen in the payment of his drawbacks. This gentleman has made claims for drawbacks on tin, representing 200 boxes, when the import entry upon which the demand was made was for 100 boxes only. In another instance, the import entry shows an importation of 200 boxes, and the demand for drawback upon the same entry was for 241 boxes, being forty-one boxes in excess of that which the entry represented. On another entry of 150 boxes, the same gentleman claimed a drawback for 207½ boxes, being fifty-seven and a half boxes more than the entry represented. When such claims are presented to the accountant, he has, upon his finding of these discrepancies, to write to the party making the claims, and point out the fact that he in making a claim for drawback on more tin than represented in the entries made. So, if delays have occurred, under these circumstances, it will be seen it is not the fault of the Department, but rather that of those who attempt to get more than they are entitled to. There is also another difficulty which presents itself, and which shows the necessity of our exercising a close surveillance over the payment of these drawbacks. Another instance is that of a gentleman, in one of the Lower Provinces, claiming drawback on tin, no which he represented he paid six dollars and twenty cents per box,

while the entry in the Department showed that he only paid four dollars and sixty-two cents and a half. I suppose the gentleman in this instance would complain bitterly of the great delay which took place. I do not see how an exporter could cheat the revenue by shipping lobsters to the United States, and having them reshipped to the Dominion without violating the oath he had taken, that the fish should not go into consumption in the Dominion. The only way that could be done would be by shipping them to Boston, and then having them reshipped to this country, under the Washington Treaty, without the knowledge of the party in the Dominion who had shipped them to Boston. The question of duty upon the tin cans containing lobsters is one that must be considered when the Tariff comes up, and in this connection. I think this explanation will show to the satisfaction of the hon. gentleman and the House that there has been no unnecessary delay in the matter. I understood the hon. gentleman to say that Mr. Mathers had stated that he had received no drawbacks. I hold in my hand a memorandum which shows that the following sums have been paid to that gentleman as drawbacks since January 1st, 1879:—February 5th, \$303.30; April 14th, \$280.40; June 18th, \$510.87; September 11th, \$157.53; December 13th, \$222.87. Total, \$1,474.95. I can assure the hon. gentleman that the Department, in the payment of drawbacks has, in every instance, paid them as soon as they could obtain the papers in such a position as would justify their payment.

MR. OGDEN: I think there must be some mistake in reference to the drawbacks claimed by Mr. Mathers, and the amounts showed by the entries of the plates imported. I can assure the House Mr. Mathers would not intentionally defraud the revenue. The hon. gentleman has alluded to another claim made by a gentleman in the Lower Provinces, which was not in accord with the entry. I am sorry that these claims have been made, but I think he will understand that these gentlemen did not intentionally claim a drawback twice on the same shipment.

MR. BOWELL: I did not say in-

tionally. I stated a fact, and gave two or three instances.

MR. SNOWBALL: In reference to the statement of the hon. the Minister of Customs that certain parties have claimed more drawback than was represented by their own Customs entry of tin imported, I think that can be easily explained. It is a common thing for a person in this business to import a quantity of tin, which it is thought will be adequate for the business they intend doing. During the season they find that they have not sufficient, and, consequently, they are compelled to obtain from other sources the additional tin they require to carry on their business. I have no doubt that Mr. Mathers did export this increased quantity of tin, and, if the duty was not paid by him, it was paid by some other party, and he was entitled to the drawback. Many cases of this kind have occurred in the Lower Provinces. In fact, I have myself been compelled to increase my purchase of tin to the extent of 500 boxes in a season, and on which I claim I am entitled to the drawback. If the money was actually paid into the Treasury, the exporter of the fish is entitled to the refund, and some reasonable mode should be adopted for his procuring it. I think I can also satisfactorily explain how the party referred to claimed a drawback on \$6.50 as the value of the tin, whereas the entry only showed that duty had been paid on \$4.50. It not unfrequently happens that a portion of our manufactured tins have to lay over from year to year, extending perhaps to four or five years. Eventually we have a good packing season and fill all up. We may, under these circumstances, ask for a drawback on \$8, the value of the tin at the time it was imported, whereas duty may not have been paid on more than \$4.50 for the tin imported the year the tin were filled. I think the exporter should be entitled to the amount of duty actually paid on the tin used, not the amount of duty on value at the time of exportation. The amount of drawback allowed last season was not an adequate return for the duty paid into the Treasury. The system adopted was entirely different to that which prevailed previously. The Department fixed the rate we should receive on each box of tin ex-



ported. In some cases we received back one-half and in others three-quarters, but in no case did we receive anything like the amount we paid into the Treasury. If it is to be a drawback, I do not see why we should not receive the full amount paid into the Customs, and not a portion of it only.

MR. DALY: There is one point referred to by the last speaker to which I desire to call the attention of the hon. the Minister of Customs. I allude to the inadequacy of the drawbacks allowed to exporters of tinned lobsters. During the last season the amount returned was thirty-four cents, whereas the duty collected on the tin plates used in the canning of lobsters amounted at times to seventy-four cents, which, with soldering, would make the whole duty about seventy-seven cents. That amount, it is considered by those engaged in the business, should be fairly returned. I have no doubt that the hon. the Minister of Customs will take the steps necessary to remedy this grievance, and give the whole subject that consideration which its importance deserves.

MR. DECOSMOS: I agree with the hon. gentleman who has just sat down, that the actual duty paid on tin ought to be returned to the exporters of canned fish. I hold in my hand a resolution recently passed by the Board of Trade of British Columbia, which is as follows:—

“That, in the opinion of the British Columbia Board of Trade, it is desirable to foster the industry of canning and preserving salmon now carried on in this Province, and with that view the Dominion Government be urged to amend by Orders in Council the existing regulations authorising the payment of drawback on all sheet tin, or tin plates, and other material used in the manufacture of the articles exported; and in lieu thereof to substitute Orders authorising the payment of drawback for the actual duties paid on tin, tin plates, and all other materials (*i. e.* raw materials) used in the manufacture of salmon cans exported, or an allowance equivalent thereto.”

During the last season some 60,000 cans were exported, and it is a matter of complaint amongst the canners that they did not receive more than one-half of the duties actually paid. One ground of objection by the Customs Department is the price at which the tin is entered at the Custom-house. It is claimed in Victoria, however, that it is entered at the

actual cost in London. This, however, is a matter that can be better attended to in a departmental way. I, however, congratulate my hon. friend from Halifax upon bringing the matter to the attention of the Government.

MR. BOWELL: The hon. member for Northumberland (Mr. Snowball) is mistaken when he says it makes no difference how the claims are made out. I wish to inform the hon. gentleman that at present, as in the past, the person making a claim for drawback is required to make it out based upon some entry which has been previously made. In the Department, a record is kept of all entries, somewhat as follows: “Entry No. 14517, Feb. 12th, 1879, 200 boxes, \$— per box, duty paid \$—.” Hence, when a demand is made for a drawback on forty-one boxes more than the entry represents, is it not of importance how the demand is made? I ask also whether this is not a matter that should receive the earnest and careful attention of the Government. The hon. gentleman says it makes no difference. How can the Government tell how much drawback is to be allowed or where the tin came from? It makes no difference whether the person is the purchaser or importer of the tin, so long as it is represented by a proper entry. It is the duty of the party claiming the drawback to show what the tin cost, and the amount of duty paid upon that upon which he claims the drawback. There seems to be some force in the objection taken at the present moment as to the amount paid as drawback on the tin exported. All that the Department asks is that the claim should represent the sum paid when the tin was imported, though it might have been imported years ago. The person claiming the drawback would surely not expect to be paid upon the price of tin at the present time. It was imported when tin was much cheaper. If the tin cost six dollars and twenty cents, the drawback could be claimed upon that, but, if the drawback be made on that amount as the present price when it was imported some time since, costing only four dollars and some cents, under such circumstances he could not demand the drawback on the larger amount. I will only add that every facility has been made for the payment of these drawbacks, and the full

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amount will be allowed, less a small fraction to cover expenses.

Motion agreed to.

**TIMBER TRANSMISSION—TARIFF OF TOLLS.**

RESOLUTION TO BE COMMITTED.

MR. WHITE (North Renfrew) moved that the House go into Committee of the Whole to consider the following resolution:—

Resolved, That it is expedient to substitute for the proportional Tariff of Tolls fixed by section 59 of chapter 68 of the Consolidated Statutes of the late Province of Canada, respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams, the following proportional Tariff:—

Red and white pine, square or flatted, per piece.....	1 c.
Oak, elm and other hard wood, square or flatted, per piece.....	1½
Spars, per piece.....	3
Masts, per piece.....	5
Sawlogs, 17ft. and under, in length per piece.....	½
Sawlogs over 17 ft. and under 25 feet long, per piece.....	¾
Sawlogs, over 25 feet long, per piece....	1
Sawed lumber, per 1,000 ft. board measure.....	3
Staves, per 1,000.....	15
Firewood, shingle bolts, and other lumber, per cord.....	2

SIR JOHN A. MACDONALD: I would suggest that the hon. gentleman should explain to the House the object of making an alteration in the Tariff of Tolls referred to by him, and, after his explanation, that the motion should be put down to be discussed to-morrow.

MR. WHITE (North Renfrew): The reason why I ask that the House should go into a Committee of the Whole on the question of these Tolls, is that the Tariff, as it stands upon the Statute-book under the Joint Stock Companies Act, appears to be unfairly proportioned. The charge upon timber is one cent, and on sawn logs one-twelfth of a cent. What I propose, if this resolution passes the House, is to substitute a rate which will bear upon different kinds of timber in more equitable proportions. I have no objection to allow the motion, as the hon. the leader of the Government suggests, to stand over for discussion tomorrow if it be deemed desirable. I have communications from gentlemen engaged in the trade, and who are likely to be affected by the proposed change, and they have agreed to a certain proportional tariff to

be substituted for that fixed by the Statute referred to in the motion I have put into your hands.

Motion, as amended, agreed to.

**INSPECTORS OF WEIGHTS AND MEASURES.**

MOTION FOR RETURN.

MR. CASEY moved for an Order of the House for a return showing the names of all Inspectors and Assistant Inspectors of Weights and Measures, appointed under the existing Weights and Measures Act, who have been subjected to examination previous to or since their appointment, noting those who have passed and those who have failed, and showing whether failure to submit to examination, or to pass such examination, has led to dismissal in the case of the parties concerned; also, for such papers as will show the nature of any such examinations as have been held. He said: My reason for moving for this return is simply because there has been such a tremendous change in this Department, experienced officers appointed under that Act having been dismissed and new ones put in their place. I want to give the Government an opportunity of showing how careful they have been to make those who have been placed in the position from which the old officers have been dismissed make up in acquirements for what they lack in experience.

SIR RICHARD J. CARTWRIGHT: I would like to call the attention of the hon. the Minister of Inland Revenue to one point. If I am correctly informed, these officers all paid certain sums into the superannuation allowance, and nevertheless, did not receive any gratuity of any kind at the time of their dismissal. I am aware that this is in the discretion of the Government, but, without entering into the propriety or impropriety of it, I consider that it is a great grievance and a hardship upon these men, if they have paid into the superannuation allowance, and have received no gratuity at the time of their dismissal.

MR. BABY: In answer to the hon. gentleman, I would state that it is the intention of the Government to reimburse in the manner stated by me, a few days ago, in answer to a question put by an hon. member, those officers who have not been continued in the service the money they have paid into the Superan-

nuation Fund. As to granting them a gratuity, it is not the intention of the Government to do so. Under the old law, a very large number of officers existed, and the number has been reduced under the new system adopted. Among those also have been found incompetent men, who in one way or the other will have to be disposed of. As all could not be retained, we chose the best men among the number.

MR. MILLS: May I ask did the hon. gentleman choose the best west of Hamilton?

MR. BABY: Yes, one.

MR. MILLS: How many new ones were appointed?

MR. BABY: Four were appointed.

MR. MILLS: It seems very remarkable that out of those who were required, they only found one competent to be retained.

MR. BABY: In that section.

MR. MILLS: And the rest were all dispensed with on the ground of incompetency, were they?

MR. BABY: If the hon. gentleman will put his question on the paper, it will be attended to.

MR. MILLS: I am discussing a question before the House, and of course as it relates to the hon. member's Department, I have a right to put a question in reference to the subject. The hon. gentleman has seen proper under the authority of an Act of Parliament to dispense with a large number of officials, engaged as Inspectors of Weights and Measures, against whom no charge has been brought. We were assured, last year, that the only reason for introducing the Bill was to diminish the expenses of this particular branch of the Public Service. At that time, I stated that it was my impression that it was designed to get rid of a large number of persons whom they had made up their minds to dismiss. The hon. the First Minister thought it was an unfair allegation to make, and the result which would ensue in giving effect to the Act would show that my suspicions were unfounded. We have now a state of affairs showing how well-founded those suspicions were, that the real object was to put these men out of office in order to make room for others who were their own friends.

MR. MACKENZIE: Will the hon.

MR. BABY.

gentleman name the one retained west of Hamilton?

MR. BABY: Mr. Young.

MR. MACKENZIE: And he would have been dismissed if the Conservative members for Waterloo had felt safe in recommending his dismissal. Half the population of Ontario is west of Hamilton, and one man was retained in that half. It was not for incompetency that the others were dismissed, for no charge was ever brought against them. It was a cruel dismissal. The whole proceeding was one of the most infamous that any Government could be guilty of.

MR. BURPEE (St. John): I would call the attention of the Minister of Inland Revenue to a case of dismissal in the city of St. John. I think the Inspector, Mr. McFarland, there was sufficiently competent. He had the reputation of being a thoroughly efficient officer, and had given great attention to the carrying out of the details of the Weights and Measures Act. I think in his case the charge of incompetency is entirely unfounded.

MR. ANGLIN: The statement of the hon. the Minister of Inland Revenue has taken me completely by surprise and must have taken many gentlemen by surprise. If the cause of dismissal was incompetency, then we in New Brunswick must be very incompetent people, for not one has been retained there. Mr. McFarland, who was amongst those who were dismissed, was perhaps as competent an officer as could be found. I think it would be impossible to find one more competent. He made it his business, whenever I passed, to ask me to examine what he was doing, and he showed a considerable amount of zeal. No fault could be found with him; his competency was entirely beyond question. As far as competency goes, I may speak of some other inspectors who, under the late Government, and up to the time of their dismissal, never did much service and never had an opportunity of doing a great deal, because of the want of standards, or something of that kind. One of those gentlemen, Mr. Cutler, was a former member of this House, and thoroughly competent to discharge any duty of that kind. He had been a member of the New Brunswick Legislature for a great many years; and yet he was dis-

missed because of incompetency. I recommended another gentleman, who was also at the time a member of the Local Legislature, and he was appointed. He never got much to do, but he was quite competent. It is well that these things should be brought before the country. I stated last year when the Bill was introduced that its main purpose was not so much to economise as to sweep out of existence a number of officials appointed under the Liberal Administration for the purpose of replacing them with Tories bearing the standard mark. As far as the city of St. John is concerned, there is not so much work done as there was before. I have sometimes enquired as to what the principal officers were doing, and I could not learn that they were doing much, if anything. The general impression is that, if less money is spent in that part of the Dominion, at any rate less service is rendered. The returns made by those officials in various parts of the Dominion do not indicate that there has been a large amount of work done in any part of the country. I never did approve of this *Weights and Measures Act*. I approve of it less and less every day since it has gone into operation, and less of it now when it is proved that it has been enacted for the purpose of creating patronage. I do not think it is worth the cost it involves to the country. It is a great hardship that those men who were turned out of office were dismissed without any reason from the Public Service, and that they did not receive the miserable gratuities usually paid to persons dismissed of office. The hon. the Minister of Railways objects to the word dismissed; he says their services were dispensed with. In this case the services of the inspectors were dispensed with by force of special legislation. They were not dismissed, their services were not dispensed with in the ordinary way, but they were legislated out of office. They were led to regard the office as permanent when they were appointed. It was the greatest injustice to these men to turn them out of office, and that injustice was aggravated much by the refusal to pay them this miserable gratuity. To this day some of them have not been paid even the amount that was deducted from their pay as their contribution towards the Superannuation Fund. I think the

hon. the Minister, if he intends to pay that amount, should refund it as soon as possible, and so relieve himself and his colleagues from the odium that must, for all time, attach to this extraordinary, and I had almost said disgraceful, series of proceedings.

MR. ROSS (West Middlesex): I think it ungenerous on the part of the hon. the Minister of Inland Revenue, after dismissing these Inspectors of Weights and Measures, to insult them with the charge of incompetency.

MR. BABY: I did not say that. The hon. member for Bothwell (Mr. Mills) tried unsuccessfully to get those words out of my mouth. I stated I had selected those I thought most competent, and that, out of the forty officers whom I appointed in place of the one hundred and twenty-five, I selected twelve whom I found most competent.

MR. ROSS: The hon. gentleman says he selected those who were the most competent, and the inevitable conclusion is that the others were incompetent. I know as a matter of fact that some of the men he has appointed to do the work of those who had had three or four years training are not, in my opinion, as competent as many of those he had discharged. I can speak for the inspector of the district I represent, who held the rank of a second class teacher and a diploma from a commercial college, and who had filled the position of returning officer in the adjoining county, and who was nevertheless unceremoniously dismissed and deprived of the means of earning his livelihood. Not only was that done, but the annuity he had paid into the Superannuation Fund has been retained likewise, so that the Government retains money that does not belong to them. Now if the hon. gentleman had wished to deal fairly with those whose services he dispensed with, the least he could do was to have stated to them the reason why he dismissed them. It is unfortunate that those men who now have to look to some other calling should be branded before the country as incompetent. The only conclusion that can be drawn from their dismissal, as well as the effect upon the public mind, will be that they were incapable in their former positions, and consequently much cannot be expected of them in positions elsewhere. I hope my hon. friend will

take the earliest opportunity to put this matter right, so that the large number of men who rendered public service, and that not at a high salary, will not remain under this stigma which has been cast upon them to-day. Besides, I think my hon. friend will find that the charges he has made in the Weights and Measures Act will be as great a charge upon the revenue as the Act was originally. I notice that in six months the revenue was only \$3,000, while the expenses connected with this Department were \$17,450. Where is the economy going to be? Under the old system there was certainly a large expenditure, but there was also a large revenue, and I fancy the hon. gentleman will find, when he compares accounts at the end of the year, that the charges under the new system are equal to, if not greater than, under the old system, while the inspection is practically *nil*. Under the new system I fancy that there is not a county in Ontario that would be thoroughly visited once in two years. The inspection is a mere sham, and the country is going to pay for this system, for this palpable sham, some \$30,000 or \$40,000 with a comparatively small revenue. Under the old system there was an inspection; under the new system there will be a heavy expense and no inspection. I would recommend to the hon. gentleman, since amendment of the measures of the old Government is the order of the day, that he should go on with the good work, and either amend this Bill out of existence or give us something substantial and not a mere shadow.

MR. VALLÉE: The Inspection of Weights and Measures Law is a law which, in itself, is very unpopular, although it was created for the protection of the great body of consumers. The putting it into operation by the late inspectors excited great discontent among the people, and even greatly contributed to the defeat of the Liberal Government in the last Dominion Elections of 1878. The putting of this law into execution was quite unpopular, and certainly, if the Liberal party had remained in power, they would themselves have been constrained to admit that a great number of the Inspectors of Weights and Measures, appointed by the preceding Government, were incapable of fulfilling the duties they were expected to perform. The present Government has

MR. ROSS.

slightly modified this law in such a way as to render its working more satisfactory. As regards the newly appointed Inspectors of Weights and Measures, I must congratulate the present Minister of Inland Revenue upon the appointments which he has made in the district of Quebec and in the surrounding districts. From the position I hold, I am enabled to state that the information which I have received from the neighbouring districts establishes the fact that the public is satisfied, not only with the working of the law, but also with the Inspectors of Weights and Measures who perform their duties in an obliging and decorous manner. Those who were formerly charged with the execution of this law—a law which in certain respects restrains the liberty of sellers—did not perform their duties in the considerate manner called for by the public. I may at this point be permitted to make another remark. In the month of May next, the Inspection of Measures Law will come into force, that is to say, the substitution of measures will then become obligatory. I hope the Government will in this case give the same instructions which it issued respecting the inspection of weights, and that it will take precautions to prevent as much as possible the inconveniences which such a radical change in the usages of the people may give rise to. If the employés entrusted with the execution of this law will endeavour to lessen its severity while carrying out their duty, before long this law will work to the great satisfaction of both sellers and buyers.

MR. KILLAM: I desire to ask the hon. the Minister of Inland Revenue if he can allege any cause for leaving the inspector of the county of Yarmouth out in the cold. I understand that gentleman, who I consider was an efficient inspector, was about the only one in Nova Scotia who did anything at all to earn his salary. I believe he collected half the revenues collected in the Province, and that, while the other gentlemen drew their salaries, they did very little towards providing a revenue. So far as I know, the business was efficiently done in that county. In going out of the county to appoint a person who had apparently no experience in the business the hon. gentleman pursued a course for which I

can see no reason, unless he wanted to reward a political supporter.

Mr. KRANZ: Reference having been made to the appointment of Mr. Young as Assistant Inspector of Weights and Measures, I beg to state that this appointment gives general satisfaction, and was not made for political reasons. Mr. Young is an old Reformer, but has been appointed by the present Government because he is a most efficient officer, and had given full satisfaction to everyone in the district, both to Liberals and Conservatives. He has been a teacher—the Head Master of the Berlin Central School—for many years, and holds a first-class certificate from the County Board. I received a letter the other day from a business man, who said that, if the Weights and Measures Act was carried out by all officers as it was done by Mr. Young, and some others newly appointed, there would be very little fault to be found with the Act. It is not so much the Act itself that gives dissatisfaction as the way in which it has been carried out by some officers.

Mr. PLUMB: One can readily see that there was an intention on the part of the hon. member for Bothwell (Mr. Mills) to impute language to the hon. the Minister of Inland Revenue which that gentleman had not the slightest idea of using. I think, if, during this discussion, some persons have been stigmatised as incompetent, they may thank the hon. gentleman from Bothwell and the hon. gentleman from West Middlesex (Mr. Ross). I think no one would have deemed that any such imputation had been made had it not been thrust upon our attention by the course of those hon. gentlemen. I understand that, when the present Government came into power there was a very large staff in this Department, that the Government reduced this staff, and it must be remembered, in this connection, that the Weights and Measures Act was put into operation by the late Government. It was not something which they had inherited from their predecessors, who, they would lead us to believe, had been guilty of all the crimes in the decalogue. They chose to adopt with this Act machinery which was cumbrous and which was often made irritating. It has been in some degree modified, and a great number of officers thereby rendered un-

necessary have been dismissed. The Act afforded the hon. gentlemen on the other side the opportunity of appointing 120 of their friends, whose clamours for office they could not resist. But, when the new Government came into power, instead of extending that patronage, they had the courage to reduce it, and there has been a saving in that respect of about \$40,000, a saving which I suppose hon. gentlemen on the other side will scout and criticise in the same way that they scout and criticise all the doings of the present Government. But we do not expect that anything that can be done on this side will please those hon. gentlemen, and they are very hard to please. When we extend the patronage we are blamed, and when we reduce it we are blamed. They are very much like the soldier who was being flogged, and first cried to the man who was flogging him to strike a little higher, and then strike a little lower, and at last he who wielded the whip grumbled: "There is no pleasing you anyway." I congratulate my hon. friend (Mr. Baby) upon having made the reduction which he has made. I believe I am safe in saying that the service is as efficient now as it was before that enormous reduction, notwithstanding the great saving that has been secured. The hon. member for West Middlesex (Mr. Ross), whose views are probably somewhat narrowed by his estimation of the position that he holds as a paid official of the Ontario Government, cannot see any merit in an appointee, who does not hold a second class certificate from the Board of Ontario School Examiners, with which I am told he has an intimate connection. He thinks all such persons have a sort of exclusive right to appointment under the Weights and Measures Act. I trust he is satisfied with the statement just given by the hon. member for North Waterloo (Mr. Kranz), namely: that the inspector of his district, which includes that of the hon. member for West Middlesex, who has been appointed by the Conservative Minister, holds a first-class certificate, is a most efficient officer, and, not least of all I doubt not in the hon. gentleman's opinion, is a sound, thorough and consistent Reformer. I am perfectly willing that any discussion of this kind shall be pressed to its utmost. I know that this Government must expect to receive the

closest scrutiny. I think they will be able to bear it, and I think, moreover, that, the closer their acts are examined, the better they will appear before the country.

MR. MACDONNELL (Inverness) : I think there was a great deal of useless expenditure in connection with this Act. In the large county of Pictou, which has within it the second town of the Province of Nova Scotia, there has been no officer appointed. I infer from that that the employment of such an officer is a needless expenditure, and is so considered by the Government.

MR. ALLISON : I may repeat what I said on this subject last Session that, to the best of my knowledge and belief after careful enquiry, the Inspector who lived in King's County, and had charge also of the county I represent, never entered that county in his official capacity. I therefore consider the Government justified in discharging that officer on the ground of neglect of duty, and I do not deny that they may have been influenced by political considerations in the appointment of his successor. The hon. member for West Middlesex appears to think that it was a case of great hardship that the officials whose services were dispensed with were not notified of the cause of their dismissal. If it will be any gratification to the hon. gentleman to have a satisfactory precedent, I can give him the names of half a dozen officials in the county I represent who were dismissed by the Government he so cordially supported, without an hour's notice, and with no cause assigned for their dismissal.

MR. BOURBEAU : I cannot coincide with the views of hon. gentlemen opposite, who declare their dissatisfaction with the change effected by the Government in relation to the Inspectors of Weights and Measures. The large number of complaints formulated in this House during the last two Sessions are sufficient to justify the action of the hon. the Minister of Inland Revenue. In the county I have the honour to represent, we had a Deputy-Inspector of Weights and Measures, who received a larger salary than the Inspector we now have, and yet the latter has a larger district to attend to. But a strong ground of complaint in our division during the term of office of the former Inspector was the fact that he often failed to act in accordance with the law requiring him, on

each inspection, to give a certificate setting out that such and such weights and measures have been duly inspected, and to attach thereto stamps for an amount equal to that charged by the Inspector for fees levied. Now, I have received from all parts of our division complaints as to the non-delivery of such certificates, and I should be glad to learn why and for what reason the certificates were not given. When I had occasion to speak on this subject during last Session, I mentioned complaints made against the mode of inspection under the Administration of the hon. gentlemen who now sit on the left hand of the Speaker; it is therefore unnecessary to repeat those charges, but I think we may well rejoice at the improvement granted us by the present Government in the new law for the Inspection of Weights and Measures.

MR. RYMAL : I have no doubt in my mind that this is part of the policy of Protection. One of the great principles attached to that policy is that "to the victors belong the spoils." I believe in that doctrine, and I made up my mind that, when this Bill was repealed and a new one enacted, it would be carried out. I am not going to speak of the qualifications of those officials who were dismissed or appointed, but I believe that the dismissals were made more for the purpose of placing friends of the Administration into positions than to promote any great economy in the Public Service. That is a lesson which politicians should ponder over, and I believe it would be well if it were understood from one end of the Dominion to the other, that, in the case of a change of Government, there should be a change from the top to the bottom in the Public Departments. It has been said that we should not have politicians in the Public Service, and we then deny those men their political rights. I believe the officers in that Department carefully abstained from taking part in political affairs, but it was on account of their political leanings that they were dismissed. In other words, they were robbed of their political rights because they were in public offices, and then turned out of their offices because they were appointed by a former Government, and for no other cause. I think it would be well if the principle "to the victors belong the spoils" were understood to be the rule

throughout the Dominion, and that all should govern themselves accordingly. It looks very much as if the bread had been taken from the children and given to the dogs.

SIR JOHN A. MACDONALD: I do not know whether the hon. member for South Wentworth (Mr. Rymal) seriously intended that we should believe that he endorses the doctrine that "to the victors belong the spoils." If I had as much confidence in him as he has in me, perhaps I would take his advice in that respect. But, although we have great confidence in his judgment, I do not think we will take his advice; and I can assure the hon. gentleman that it is not for the want of pressure on the part of some of our friends. We have been obliged to resist the pressure of some of our friends who are Conservative in their leanings.

MR. MACKENZIE: How?

SIR JOHN A. MACDONALD: The hon. gentleman knows what the pressure was on his side of the House, and he can judge of the somewhat similar pressure that has been brought to bear on us. The present Government have tried as much as possible to carry out the principle of not removing any man for his political leanings. We have tried to avoid the imputation even of removing a man without cause. When there are vacancies in the Departments, I take it that the Government have a right to fill them from among their friends, providing that they select persons who are capable to fulfil those positions. Indeed, that was the principle on which the late Government acted. It is the one on which the present Government acts, and that which must actuate all Governments. Before Confederation, when the American principle prevailed, one of the most continuous charges brought against the Government was that Conservatives were turned out of office body and bones, and that they were not replaced when we came in. So particular are the present Government on this point that, although the last Administration occasionally removed men who ought not to have been removed, and who looked to us to replace them, we have refused to do so. Of course the late Administration will not admit having removed persons except for good cause, but it is our firm impression that such

was the case. We think every Government is responsible for their appointments and dismissals, and that no one should be removed except for good cause. That is the principle on which we have endeavoured to act; and I will say distinctly that, should any given case be brought up—it is easy to deal in generalities and make charges of that kind,—we will be quite ready to defend and justify our actions both to the House and country. I may say that I believe the hon. gentleman opposite (Mr. Mackenzie), when he was leader of the Government, resisted as strongly as he well could the pressure brought to bear upon him in regard to the appointments and dismissals. He may have yielded sometimes when he ought not to have done so—and perhaps I have done the same thing, but I am not aware of any case at this moment—but he undoubtedly tried to resist the undue pressure, and carried out the British principle, except on one point. I think he frequently brought in outsiders and placed them over the heads of men already in the Service, and who were fully competent for promotion. That was the worst kind of action in the way of appointments, inasmuch as it tended to demoralise the Department.

MR. MACKENZIE: I suppose that is the reason the hon. gentleman took an outsider in making a late appointment in the Privy Council?

SIR JOHN A. MACDONALD: In that case, we simply transferred a man from one Department to another. I think the hon. gentleman, for very many reasons that we need not discuss, will fully sympathise with the reason which induced the Government to promote a man of the name of McGee. With regard to the Weights and Measures Act, the hon. gentlemen opposite are not responsible for it. We passed that Act when we were in before. They might have repealed it if they chose. They did not choose to do so, but they put it in operation, and, without wishing to impute any blame to the hon. gentlemen opposite, they must admit that the Act has worked great dissatisfaction. Perhaps the provisions were too rigidly enforced by the Department, and perhaps the system, in its newness, operated hardly and to the great inconvenience of the retail traders. At all events there was a howl of dis-



approbation against the Bill, and it has proved expensive in operation. The present Government upheld the necessity of having such an Act—the necessity for having a just balance and just weight for every man in the country. By the introduction of the amended Act, and grouping the counties, a great saving has been effected; and, moreover, I am glad to be able to inform the House that the causes of irritation throughout the country have been so greatly removed that, even in the city of Hamilton, which was the great centre of dissatisfaction, the traders and manufacturers are now quite satisfied with the Act. There were no dismissals; the services of men were dispensed with by the grouping of the different counties, because not so many officers were wanted, and therefore, as the Government had to dispense with a certain number, it had to use its discretion as to the dismissals. I am satisfied that very great care was taken by the hon. the Minister of Inland Revenue and his deputy that the officers retained were the best found under the circumstances in the different localities. Sometimes efficient men were dispensed with, because they could not all be employed. Sometimes counties were grouped, the principal man having to be near the centre, and occasionally a competent man, in a remote portion of the district, would have to be dispensed with as between the others, and one equally competent, or perhaps more competent, living near the centre, would be preferred. The whole system was carefully carried out, and with a good deal of pains and trouble and to the satisfaction of the country, a great saving having been effected without impairing the efficiency of the Department.

**SIR RICHARD J. CARTWRIGHT:** I should like to ask the hon. the First Minister why he has departed from the usual custom of giving a gratuity to officers whose services have been dispensed with.

**SIR JOHN A. MACDONALD:** The hon. the Minister of Inland Revenue can answer that question. The original Act was brought into force only a short time before. The gratuity claimable, therefore, could not be very large—it must be insignificant.

**SIR RICHARD J. CARTWRIGHT:** A gratuity would mitigate the hardship of those dismissed.

**SIR JOHN A. MACDONALD.**

**MR. BABY:** But very few applied for reimbursement from the Superannuation Fund—I think no more than three or four. Very few had been in office more than one, two or three years, and they were told six months in advance that their services, after the passage of the new Act, would not be required. In answer to the complaints made by the Opposition, I would say that, when I came to office, above 100 officers were employed under the Weight and Measures Act, and out of these about twelve were selected and reappointed under the new law. The selections were made among the old and most efficient officers. The different divisions were formed of different counties grouped together, Government having to select an officer for each division. Many dismissals were therefore imperative. I did not expect from any hon. member of the Opposition the accusation of dismissals on account of political proclivities. I tell the hon. member for Bothwell (Mr. Mills) that in my place he would not have acted as I did. I retained in my Department two officers, employed temporarily, one of whom for years in my county gave me determined opposition. I do not think that hon. gentleman would have been so generous. My intention was not thus to thank those officers for their political proclivities. I acted for the good of the service. The member for East Middlesex (Mr. Ross) said that the law was a dead letter; that the expenses for the last six months of 1879 reached \$17,000, while the receipts were only \$2,000. Now, the law was a new one, the officers being appointed only in August and September last, and he must see, from the return laid on the Table of the House, a few days ago, that the revenue was increasing monthly, and it will continue so, no doubt, now that the Act is in full operation through a staff of most efficient officers. There is no doubt that, by the carrying out of the law, it will be, if not quite a success, very nearly so. I have not heard one hon. member on the opposite side say they are not perfectly satisfied with the working of the law. The best testimony rendered as to the proper action of the Department was manifested in Montreal, Toronto and Hamilton, where I had the honour of meeting bodies of manufacturers and merchants, all of whom told me they were

perfectly satisfied with the rules now in force. I could not expect, of course, the approval of the hon. gentlemen opposite. Probably, now that we have effected these economies, they will say the law is not carried out, just as was said of the savings made by the hon. member for Cumberland on the Intercolonial Railway; they were not worth having, according to the gentlemen opposite. The hon. member for Gloucester (Mr. Anglin) complained that in his county a very efficient officer had been dismissed, like many of those whose services have been dispensed with. That officer had never, however, performed any duty except the drawing of his salary; he had absolutely nothing to do. I hope this time twelvemonth I shall be able to put before the hon. gentleman statements that, if not entirely satisfactory, will be as satisfactory as possible.

MR. BRECKEN: If I understand the charge preferred by hon. members opposite against the Minister of Inland Revenue, it is [this: that] the former Act respecting Weights and Measures was repealed, and last Session substantially re-enacted, not with the object of improving the law, but simply of giving the Government an opportunity of getting rid of officials politically opposed to them and putting their friends in their places. I am not aware of the manner in which appointments under the new Act were made, and therefore I cannot speak to them, but the explanations in this respect made by the hon. the Minister of Inland Revenue appear satisfactory. I think I heard the hon. member from Gloucester characterise the Act, and the way in which the appointments are made under it, as infamous.

MR. ANGLIN: I said disgraceful.

MR. BRECKEN: There is not much difference between the terms; what is politically disgraceful is next door to being politically infamous. But, Sir, speaking for Prince Edward Island and the contiguous portions of Nova Scotia and New Brunswick, I venture to say that the feeling of the Liberal Conservative party in that part of the Dominion is that the right hon. the leader of the Government and his colleagues have been much too magnanimous in their treatment of political opponents. It would look as though the present Government are neglecting the

claims of their friends and supporters and propitiating their enemies. If there is any defection from the ranks of the Liberal Conservatives in the Maritime Provinces, it is chiefly, and I may say entirely, owing to the fact that violent and energetic opponents of the present party have been retained in office, and the claims of our friends overlooked. I agree with the right hon. the leader that the interests of the country require that the Civil Service should be permanent, but contend that officials who are politically opposed to the Government who retained them should at least have some decency about them, and at any rate abstain from attempting to undermine the Government that gives them bread. With us in Prince Edward Island, many of these Grit officials, feeling that they are secure under the magnanimous and over-generous rule of the present Government, do not take the trouble to conceal their animosity towards their political opponents, but throw the taunt in their faces that at the time of the elections the Conservative candidates assured them that, if returned, and in a majority, their claims would not be overlooked, and that, though returned and in a majority, they are powerless to do anything for their friends or redeem their pledges in this respect—that to get office they should turn Grits. I am ashamed to admit that, when the late Government, lead by the hon. member for Lambton, was in power, one or two active supporters of his party, who were not in the positions of representatives, could do more to have opponents dismissed from office, and to have his friends appointed, than all the present representation of the Island can bring about. This ought not so to be. I do not believe that this policy will wear. Under the former Government the chief qualification for an officer was to be a supporter of that Government, and the incurable disqualification was to be a Liberal Conservative. When I heard the charge of political partiality hinted against the present Administration from the other side of the House, I thought of the many instances of dismissal of old, well-tried and efficient officers in my Province, at the time the hon. member for Lambton came into office, simply to make way for his political friends. There are many instances—one or two just now occur to me. There was

the case of the Surveyor of Shipping; he was removed from office without any charge being preferred against him; the head and front of his offending was that he was a Conservative. Another instance was that of an old and tried public servant, one of the political pioneers of the country, who filled the office of Provincial Treasurer, and had charge of the Savings Bank Department before Confederation, when Prince Edward Island entered the Union. Had the spirit and intention of the British North America Act been respected, that officer should have been retained in charge of the Savings Bank; but he, although no charge was attempted to be brought against him, was also dismissed. There are many other cases, but I instance these two because they were not among the appointments made by my right hon. friend on the eve of his retirement from office, in 1873. On the other hand, no Grit official with us has suffered for his political opinions. I have no doubt that, if the political wheel should turn, a prospect which I believe is at present very remote, you will not find the Grits following the very generous policy of the present Government. They will be true to their friends, and let their opponents look after themselves. It is rather trying to hear hon. members on the Opposition Benches accusing the Government of cruel and disgraceful conduct in dismissing men from office to the detriment of the Public Service, simply on account of their politics. From my experience there is no foundation for the charge; on the contrary, every obstacle has been thrown in the way of removals by the Government. I wish, so far as the Lower Provinces are concerned, that there was some truth in the charge. I do not wish to be vindictive or punish any man for his political opinions; this is a free country; but at the same time I do not think it either well or just to foster opponents who spend their leisure time in endeavouring to weaken and destroy the influence of the party who keep them in office. I hope the right hon. the leader of the Government will modify his too generous and magnanimous policy, and not forget the claims of his old friends and supporters. I believe in looking after one's friends, and letting your opponents look after themselves.

MR. ANGLIN: When the hon. the

MR. BRECKEN.

Minister of Inland Revenue stated there were only forty persons employed, did he mean inspectors or sub-inspectors?

MR. BABY: The forty officers comprise all inspectors and assistant inspectors. In Ontario there are only four inspectors; in Quebec, four; two in Nova Scotia and three in New Brunswick; one in Prince Edward Island; one in Manitoba and one in British Columbia.

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

### After Recess.

MR. YEO said that he had never been an admirer of the Weights and Measures Act, and had therefore nothing to say in its favour, but, when that Act was applied to his Province, he considered that the county he represented might as well have an inspector as not. Three inspectors were appointed, one for each of the counties of the Island. They were all respectable and intelligent men, and had gone to considerable pains and expense to qualify themselves for the position. As one of the three late inspectors was not re-appointed when the new law came into force, it is evident that the appointment that was made was a political one. In reference to what the members for Queen's had said regarding the dismissals that had taken place in Prince Edward Island, he could not agree with him. He (Mr. Yeo) was well satisfied that the dismissals were made on purely political grounds. The late superintendent engineer and storekeeper on the Island Railway were good men, who had done their duty faithfully. Mr. McKechnie had taken charge of the road when it was only half built; he organised it and put it in excellent working order; no accident had happened on the road. Just as he had got the road in good running order, and would have reduced his staff, he was summarily dismissed, without a single charge being made against him. The Government had sent an inspector to investigate the books and everything in connection with the road. His report had not been made public but not a single charge had been made against any officer of the road. I have seen a letter written by the hon. the Minister of Railways, commending in the highest terms the superintendent whom he dismissed. I am not surprised

at these dismissals, or at the position in which hon. members now find themselves, on account of the disappointment of those who have applied for offices. It is what was to be expected, as they in their canvass promised to make a clean sweep of the employés of the road, from the pen to the shovel. I have been credibly informed by supporters of hon. members that some of the offices were promised to as many as twenty different applicants. Complaint has been made about the dismissals in Prince Edward Island by the late Government, but I consider that those dismissals were justifiable. Nearly the whole staff of Dominion officials, from the highest to the lowest, in that Province, were appointed by Sir John A. Macdonald's Government, in 1873, when it was going out of power, when in fact its members had their resignations in their pockets. These offices were all filled by Conservatives, in direct violation of an agreement previously made between two members of the Cabinet and the leading men of both parties in the Island. After the change of Government, the Liberals insisted on this arrangement being carried out, and this patronage fairly divided between Conservatives and Liberals. This necessitated the dismissal of some of the officials appointed by the dying Government. The Liberals, even then, did not get their fair share of the patronage, and the only fault I have to find with the Liberal Government is that they did not make more dismissals. The "old gentleman," so pathetically alluded to by the hon. member for Queen's, as being forty years in the Public Service, could not be considered a civil servant for that length of time. He, no doubt, held high positions in the Local Legislature for a number of years, and managed to be in office for the greater part of the time. He found it convenient to leave the Island, and went to reside to England, where he remained some seventeen or eighteen years. He returned to the Province shortly before the Island entered the Confederation. After that event took place, he, by the influence of his Conservative friends, was appointed Dominion Auditor, a position to which he had no right, and was properly dismissed when the Liberals came into power. Not long after, he was appointed by the Local Gov-

ernment to one of the best offices in its gift, which he still holds.

MR. ROBERTSON (Shelburne): I think I may say in reference to the statement made by the hon. member for Queen's, P. E. I. (Mr. Brecken), this afternoon, that the reason the Government have not made more removals of Liberals in Nova Scotia is because of the judicious selections made by the late Government. I confess I hardly find in the statement of the hon. the Minister of Inland Revenue any excuse for turning out nine Deputy-Inspectors in Nova Scotia, and the selection of only one of the old officers, amongst whom there were men as capable of efficiently performing their duties as those selected by the present Government. We are told that there have been no dismissals for political purposes in Nova Scotia. The first thing the Government did was to dismiss Mr. Elliott, Dominion Arbitrator, and appoint in his stead Mr. William Compton. It is true that they gave as an excuse that this was a re-appointment, but the reason of his dismissal by the late Government was that, after the resignation of the Conservative Government, he conducted a newspaper in direct opposition to the Mackenzie Administration, and of course he took his office in his hand when he did so. No such charge, however, could be made against Mr. Elliott, who was simply discharged because of his political predilections. Then they took another plan to provide for their friends. They superannuated the Post Office Inspector of Nova Scotia, and put in his place a man without any experience in Post Office work, and whose only recommendation was that he was a political supporter of the present Administration. Charges were made against Capt. Purdy of the S.S. *Newfield*, and Capt. O'Brien was put in his place. The chief Fishery Warden of the county of Shelburne, Mr. Muir, was dismissed, and Mr. McGill appointed in his stead, because he was a solid supporter of the present Government. The only charge against Mr. Muir was that he was a Liberal. Then in the case of Mr. G. P. Black, they created an office never heard of before for him upon the Intercolonial Railway. I think that the less said about dismissals in Nova Scotia by the supporters of the present Government the better.

The history of the Civil Service of Nova Scotia, since Confederation, is that four-fifths of the service was made up of strong Conservatives; and, prior to the passage of the present election law in Nova Scotia, a very large number of officials were used as engines to keep the Conservatives in power.

SIR CHARLES TUPPER: I did not intend to take any part in this debate, as my hon. friend the Minister of Inland Revenue has, I think, very fairly stated to the House the grounds of the changes that have been made in the Department of Weights and Measures, and amply justified the course he has taken. The desire was to endeavour to lessen the large expenditure that was incurred in putting the Weights and Measures Act into operation. I desire, however, to refer to the remarks of the hon. member for Prince County (Mr. Yeo), who stated that certain dismissals had been made in connection with the Prince Edward Island Railway. So far as I am aware, not a single officer connected with the Intercolonial or the Prince Edward Island Railway has been removed on political grounds. I am prepared to have the subject investigated in the closest manner in relation to that point, and to justify, irrespective of any political question, any removal or change that has taken place. The hon. gentleman says the engineer of the Prince Edward Island Railway was dismissed on political grounds. That officer was not dismissed on political grounds, but the offices of superintendent and engineer were consolidated into one, with the view of effecting a saving of public money. I am happy to say that the change has justified itself without in the slightest degree impairing the efficiency of the road or the rolling stock. I shall, by this change in the management, be able to effect a saving of at least \$40,000 a year in the administration of the Prince Edward Island Railway, for the maintenance of which the people of this country have been taxed to the extent of nearly \$100,000 annually for many years in succession. The hon. gentleman could not have been aware of the fact that, when I dispensed with the services of the Engineer of this road, I offered him a position of equal emolument on the Canadian Pacific Railway.

MR. MACKENZIE: A temporary position.

SIR CHARLES TUPPER: No, not

MR. ROBERTSON.

any more temporary than the one he held.

MR. MACKENZIE: The one he held was not a temporary one.

SIR CHARLES TUPPER: The hon. gentleman does not mean to say that he was a member of the Civil Service?

MR. MACKENZIE: No, but the hon. gentleman must see that the Engineer of the Prince Edward Island Railway is in a different position to a man sent out on the Pacific Railroad in the spring and dismissed in the autumn.

SIR CHARLES TUPPER: I intended the position to be a permanent one. I felt that it was due to an officer who had discharged his duty faithfully, and whose services I felt it necessary in the public interest to dispense with, that I should offer him a position of equal emolument to that from which he had been removed. I think the hon. gentleman will see that this is hardly a case upon which to base a great grievance. With reference to the restoration of Mr. Compton to the position of Dominion Arbitrator, I would say that Mr. Compton was appointed to that position when the present Government was in power before. He discharged his duties with great fidelity and ability, and, when the change of Government took place, he was restored to the office he had been discharged from by the late Government, without their assigning any such reason as that which was assigned by the hon. member for Shelburne (Mr. Robertson). I need not detain the House in dealing with the question of Capt. Purdy, whose services were not dispensed with until he knocked the bottom out of the ship he commanded, and until he exhibited his incompetency and unfitness for the position. In regard to the appointment of Post Office Inspector, the gentleman who filled that office was at too advanced an age to enable him to perform the duties thoroughly, which were of a laborious character. Therefore he was superannuated, and a gentleman who then represented the city and county of Halifax in the Local Legislature, and who was a man of great ability, was appointed to discharge the duties of that office. I think it will require a rather laboured effort to make a grievance out of that. As to the appointment of Mr. Black, I would say that, for some time, an effort has been made to make Halifax a winter

grain port, and it attracted the attention of the late Government and the country to a large degree. We felt that it would conduce to the prosperity of the country if we could possibly make Halifax a winter grain port, if it were possible to do so. A grain rate was offered much lower than our predecessors were willing to offer, and a gentleman was selected as travelling agent who was held in high repute by the Chamber of Commerce, being selected by them on two different occasions to deal specially with this question. He had also been employed as agent of the Grand Trunk Railway, and his selection was looked upon by all parties as a good one. He was thought to be the proper man to further our efforts in finding out thoroughly and effectually whether Halifax could be made a winter grain port. These efforts have not resulted so favourably as we had hoped, but we felt it our duty to use every effort in that direction. Mr. Black was a gentleman of highest character in the City of Halifax, widely known in connection with commercial matters, and had received the endorsement of the Chamber of Commerce on more than one occasion; and therefore the fact of our efforts being unsuccessful did not detract from the propriety of the appointment. I do not remember any other reference that the hon. gentleman made, but, so far as the Department connected with the Intercolonial Railway is concerned, I am prepared to state again that one of the strongest censures I have had to encounter was on account of the tender regard that seemed to be given to our strongest and most obnoxious political opponents. I thought it was not right that political considerations should enter into these matters, and there is not one instance of our having dispensed with these officers for political reasons.

MR. MACKENZIE: Perhaps you will allow me one word, although I have spoken on this question before. I think it is perfectly clear that some of these gentlemen have been dismissed for political reasons. The hon. the Minister of Inland Revenue says not, but his statements go to show that they were dismissed in order that others might be appointed in their places.

Some HON. GENTLEMEN: No, no.

MR. MACKENZIE: Mr. McKechnie

was treated in a most infamous manner. His books were taken from him and he was dealt with as if he had been a common criminal; and, after such steps had been taken with a view to criminate him, the combination broke down, and they were obliged to give him a certificate that there was no charge against him. Two men were dismissed without any charge against their competency or otherwise; one of them ought to have had the opportunity to take the position to which Mr. MacNab was appointed. The hon. gentleman stands convicted on his own showing of dismissing two meritorious officers to put friends in their place.

MR. BABY: That is another way of stating it.

MR. MACKENZIE: It is the way the hon. gentleman ought to have stated it if he meant to give a fair statement of the case. I have stated exactly what happened, as I always do. Now the hon. the Minister of Railways also led the House to believe—although not in exact terms—that Mr. Black, of Halifax, was appointed to the position he held by the recommendation of the Chamber of Commerce. The Chamber of Commerce never recommended him for that position or any other position, but Mr. Black was introduced in a traitorous manner, immediately after the elections; and, after circulating direct falsehoods against the existing Government regarding its traffic, placed in this position, although not competent to fulfil the duties of it. I only rise at the present moment to call attention to these facts, as they were not exactly stated by the hon. gentleman.

MR. HACKETT: It appears to me that, with regard to these Inspectors of Weights and Measures, they are quite unnecessary, more especially in the rural districts. In the centres of trade it is possible that they may be required, but I believe that the enactment of so stringent a law was not called for. The present Government, however, found the law in operation, and, as it would be very difficult to totally repeal it, they did the next best thing in the public interest, and that was to reduce the expenditure as much as possible. In doing this, a number of gentlemen, who were provided for by the late Government at the public expense, had to be dismissed, and their friends in this House, as a matter of course, raise a

great cry about dismissals for political reasons, and charged the Government with having introduced the American system of "to the victors belong the spoils." I am quite surprised at the views expressed by hon. gentlemen opposite. If they look back on their own course of proceeding during their own tenure of office they will find no room to blame the present Administration on the score of making dismissals for political reasons. In Prince Edward Island their conduct is well known in connection with this matter. When the late Government came into power, in 1873, they dismissed almost every official in the Civil Service in that Island without cause, and for no reason other than that they were known to be friends of the then Opposition. All were served alike; no distinction was made, from the chief Collector of Customs down to the country postmaster, and, in the face of all this, we find these gentlemen rise in this House and charge the present Administration with having introduced the American system. I know they have said, in extenuation of their misconduct, that these officials were not regularly appointed and had not their commissions. But I hold in my hand the commission of one of those gentlemen who was dismissed in the Island, who was regularly and properly appointed by the Dominion Government, a gentleman against whom not one word can be said, and a most efficient officer. Still, he was dismissed for no other reason than that he was known to be a Liberal Conservative. I refer to Mr. John Costin, late Preventive Officer for the port of Summerside. This man was regularly appointed; his commission, as can be seen, is signed by Lord Dufferin; he held the same position for five years under the Local Government, before Confederation, discharged his duties honourably and well; but all would not do; he was sacrificed to make room for one of their political partisans, and still they talk of dismissals for political reasons. This, however, is only one case out of dozens which can be shown in Prince Edward Island. With regard to the Prince Edward Island Railway, a great deal has been said by my hon. colleague (Mr. Yeo) about the removal of Messrs McKechnie and Cunningham, and the appointing of Mr. McNab to take their places. This was

done on the score of economy. But he says, why not have appointed Mr. Cunningham. Now I say it would be inconsistent for Mr. Cunningham to take this position, as it would imply that for the five years he had been there he had little or nothing to do. It is a well known fact that Mr. McNab now performs duties that occupied the whole time and attention of five men under the late Administration. In those good old days the Prince Edward Island Railway was a happy retreat for political favourites from all parts of the Dominion. No road of its length on the continent had such a staff of officials—a Superintendent, an Engineer, an assistant engineer, a deputy assistant engineer, a sub-deputy assistant engineer—all men cleaned out, and now Mr. McNab performs the duties of the whole lot. These men were all paid large salaries out of the revenues of the road, and it was utterly impossible that we could have anything else but deficits with regard to it. I know the road is now worked with much less expense than it was under the late management, while its efficiency has not been in the least impaired; in fact it is affording more accommodation to the general public than it ever did before. I am aware that Mr. McNab is very hard-worked, that his duties are both onerous and responsible, and I trust that the hon. the Minister of Railways will shortly be in a position to increase his salary, as at present the amount he receives is not at all adequate to the duties he is called upon to perform. I approve of the action of the Government in dismissing all superfluous and unnecessary officials; but it is only fair and just that the men who are retained and have to do the work should receive salaries upon which they can live. There are other officials on the Island Railway who are not sufficiently paid for the duties they have to perform, notably the paymaster and auditor, who have to perform very responsible duties, and whose salary is very small. I hope that another readjustment will take place shortly, and that all the officials who are now underpaid will have their salaries increased. The hon. gentleman from Lambton (Mr. Mackenzie) has stated that Mr. Cunningham had to take charge of the harbour works on the Island in addition to his duties on the railway. This

is a fact, but it was an unfortunate arrangement, as Mr. Cunningham was incompetent or neglected this part of his duties. I know, in one instance at least, the country has suffered severe loss owing to the manner in which Mr. Cunningham failed to perform his duties properly as a harbour engineer. At Miminigosh, Prince Edward Island, he laid off the work for the construction of a break-water, and, owing to the careless and slovenly manner in which it was done, the fall storm swept it almost wholly away, and it will now take \$2,000 to repair it. In referring again to this question of dismissals, I may say I have great fault to find with the present Government for the way they have used their friends. I believe in the permanency of the Civil Service, but, if we are to have our Civil Service permanent, if we are to have it able and efficient, and if we wish to have it hold the confidence of the country, the servants of the people should not take part in politics. When we see our civil servants, as was the case in Prince Edward Island during the last campaign, leave their offices, neglect their duties, and travel through the country, making political speeches, and mixing up in the turmoil and squabbles of party politics, reform becomes necessary, and those parties should be dismissed. I was told that, when parties neglected their duties, they would be dismissed. I have proved charges against several parties for neglect of duty, but I still find that the Government retain them in their positions, and will not discharge them, being, I presume, afraid that the Opposition will say they have been dismissed for political reasons. This is not the way the friends of the present Government were used by the Opposition when they were in power in 1873? They dismissed almost all our friends who were appointed by the Government of the right hon. gentleman who leads the present Government, and I would ask my right hon. friend were not those appointments made in good faith in 1873? I am sure he will say they were, and that they were unjustly and improperly cancelled. This being the case, I hope that he will now consider the claims of those that were dismissed, and have justice done them either by reinstating them in their former positions or by compensating them in some other way.

MR. CAMERON (South Huron): I think the hon. the Minister of Railways and the hon. the First Minister are responsible to a large extent for the divergence which has been made from the real subject matter of the motion before the House. The hon. the First Minister stated, in his usual calm, collected, and emphatic manner, that the Government had dismissed no person from the Public Service for political reasons; and he went further—he defied any person to show that anyone had been dismissed for political reasons. The hon. the Minister of Railways, however, was more moderate and not so emphatic in the language he made use of. He denied that anyone had been dismissed from the service for political reasons, but he admitted that the Government had dispensed with the services of some persons, and he did not venture on the assertion that no one's services had been dispensed with for political reasons. The hon. gentleman could not, in face of the facts, venture on that denial. Now I have the very best reason to believe that many person's services have been dispensed with, without any apparent reason, except a political one. There was George Brown, whose services as postmaster of Baltimore were dispensed with without any reason; if there was any reason I do not know of it; certainly no information was given the House that would warrant his removal; and there was James Maclean.

MR. LANGEVIN: Perhaps the hon. gentleman would not go so fast, and then we should have an opportunity of getting these names.

MR. CAMERON: I mentioned George Brown, of Baltimore, who was dismissed for no reason, except that he was a Liberal and also Mr. James Maclean the postmaster at Mount Pleasant. I hold in my hand a letter from him, in which he says he was dismissed solely because he had been a Liberal. Another person, whose name I do not know, was the postmaster at Hillside. This person's services were dispensed with for no other reason than that he was unfriendly to the hon. gentlemen opposite. The postmaster of Molesworth was dismissed, and, if for other than a purely political reason, no one ever heard of the reason. It is singular that all these men were Liberals. That, however, is not all. I am aware that the person for



some time in the service of the Government as captain of the Government dredge on Lake Huron was dismissed. There never was any charge preferred against this man, and there was no ground of complaint against him. He was dismissed by the present Government without a single notice, and solely because he was a political opponent of hon. gentlemen on the other side of the House. No charge was made against him, no complaint was laid with the Government. He was summarily and without cause removed, and the first intimation he had of it was that his services were no longer required by the Government. And who was appointed in his place? A violent political partisan and supporter of the hon. gentlemen now in power; a man who was formerly in the service of the Government, but who had been dismissed by the late Government for wilfully and persistently disobeying the orders of the Department. In addition to this, his habits were not such as would make it perfectly safe to entrust him with Government property. Captain Fraser had always been a Liberal, but after he became an employé of the Government he took no active part in politics. He was dismissed without cause, and in defiance of the strong remonstrances from the leading men in that section of the country of all shades of politics, who asked that he should be retained in his position; but a pressure was brought to bear upon the Government. The Government weakly yielded to the measure, and the result was that Captain Fraser was dismissed and this other man appointed in his place. Still another case. I am credibly informed that the postmaster of the village of Hillsborough was dismissed without complaint and with no other intimation except that his services were no longer required by the Government. Yes, the unfortunate postmaster of Hillsborough had another notice—a very explicit and very emphatic intimation of what was in store for him. One day after the general elections, there was found posted up on the door of the post-office a notice in these words:—"Poor old man, your Government is dead; prepare to meet your doom." And the poor old man, who had been twenty years in the Government service, in pursuance of the intimation thus promptly given him, did meet his doom. Very shortly after the

elections, he got a letter from the Post Office Inspector, as follows:—

"Wednesday, 4th inst. — My assistant will be at Hillsborough for the purpose of transferring the post-office to the charge of Wm. Donaldson. Please, as far as you can, have things in proper shape for removal."

That was the first official intimation he got that his services were no longer required—*curt notice and scandalous treatment for a man twenty years in the service.* Still another instance of the treatment received by Liberal employés at the hands of hon. gentlemen opposite. For once the gallant gentleman who then presided over the Post Office Department forgot the national characteristic of his race, chivalry, and what did he do? He undertook to lay violent hands politically upon an unfortunate postmistress in the village of Lefroy, and dismissed her, for no reason that she ever heard of. The husband of this lady, Mrs. Fraser, had been postmaster for many years. At his death she was appointed, and held the position formerly held by her husband, and gave general satisfaction to the public. She had the misfortune, according to gentlemen opposite, of being the widow of a Reformer, and so she had to go. I had a letter last year, complaining in the strongest possible language of the manner in which she had been treated by the Post Office Department. There may have been some other reasons for the dismissal, but, if so, they have not been submitted to Parliament. I am only speaking of what was communicated to me. But it is perfect nonsense for hon. gentlemen to say that they have not dismissed, or, using the milder language of the hon. the Minister of Canals and Railways, dispensed with the services of, a great many public employés of Liberal proclivities, and appointed their own political friends in their places. Of the latter I do not complain; of the first I do complain. If there is a vacancy properly created, I do not expect them to appoint their opponents to the office. I believe it is the worst thing that can happen to the country, and to the Public Service of the country, to have those who are in the Public Service dismissed with every change of Government. I do not believe, with my hon. friend from South Wentworth (Mr. Rymal), that such a rule should prevail in this country.

MR. CAMERON.

"To the victors belong the spoils" may do well under other forms of Government, but it will not do under this. But hon. gentlemen may rest assured that, if they go on dispensing with the services of Government officials without reason, except political ones, the American system will ultimately prevail. If our friends are to be dismissed from office because they happen to be our friends, when our friends come into power, as undoubtedly they will ere long, the same measure they mete to us shall be meted out to them again.

MR. McCALLUM: The hon. gentlemen on the other side appointed so many men to office that they sent three men to do two men's work, and sometimes to do one man's work. It was in the interests of the country that some of these men should be discharged. The hon. gentleman from South Huron (Mr. Cameron) brings the charge against the Government that it discharged the captain of a steam dredge. Well, it is not a very important office to be captain of a steam dredge. I know that, as regards the part of the country I come from, there are some men that ought to be dismissed in the interests of the country. I know that this Government is so generous that it will not remove good public servants until their service is required in some other part of the country in the public service. I hope they will continue to do that, but not to dismiss any deserving men without just cause. So far as I know they have not done so. The only charge that has yet been made against the Government is that they have dismissed the occupants of a few paltry post-offices and a steam dredge captain.

SIR JOHN A. MACDONALD: I repeat what I said already, that I am very glad to receive the names of any persons who are said to have been removed political causes, and we will pledge ourselves to give an answer to the House. I do not say it will be satisfactory to the hon. member for South Huron (Mr. Cameron). I do not believe that any answer will be satisfactory to him. He is a desperate unbeliever, and, no matter what we say, he thinks there is some secret reason which induces us to remove a man; that the complaints are false and the reasons miserable. If the hon. gentleman is a believer of that kind we can-

not help it. But we desire to address ourselves in the statements we make to the candid consideration of the House, who, we hope, will view our statements with some degree of consideration, and not be led altogether by political prejudices, which evidently cloud my hon. friend's usually clear judgment.

MR. ANGLIN: You will, I hope, look into the case of the postmaster, for instance.

SIR JOHN A. MACDONALD: We will be glad to take that up.

MR. POPE (Queen's, P. E. I.): I should not have taken part in this discussion were it not that reference has been made to dismissals in Prince Edward Island. Our people in Prince Edward Island are not unreasonable and are quite willing to recognise the principle of permanency in the Civil Service, but what they do complain of, however, is this: When that Province entered into the Confederation under the British North America Act, all persons then holding office became as much officers of the Civil Service of the Dominion as if they were appointed twenty years before. When the change of Government took place in 1873, almost every man who had assisted in carrying Confederation, was turned out of office and thus faith was broken with them since they supposed themselves secure in their positions under the arrangements made at the time of Confederation. That is the way these men were rewarded for their loyal services in bringing about Confederation. It is true that many of them were appointed by Order in Council before the preceding Government went out, but they were appointed for the purpose of fixing the salaries under the separate Government of the Province. Before Confederation the salaries were necessarily small, and it was to fix their salaries under the new order of things and to confirm them in their appointments that the Orders in Council were passed. The dismissal of these officers, then, was not only a breach of faith but it was a violation of the British North America Act. What our people say is this: We do not want to interfere in the permanency of the Civil Service, but we ask that, whenever one of our friends, who was in office at the time of Confederation, and performed his duties well, was yet dis-

missed in 1873 he should be reinstated in this office. That is the principle they have recognised and contended for. As to the dismissals in Prince Edward Island by the present Government, there have been none that I am aware of. In the Department over which I have the honour to preside, instructions were given everywhere by me to the Fishery Inspectors that no man should be discharged without good cause and none for political reasons alone, although I have had scores of persons coming to me and asking for the appointment of their friends. But instructions were given to examine and report on the service, and, wherever a man would not attend to the duties of his office properly, he was to be dismissed. I challenge any member of the House to show that any dismissal has taken place in that Department for political reasons. Last year, a great outcry was made in this House about the dismissal of the master of a steamer. I said then that any master of a steamer who knocks the bottom out of his ship should be dismissed. The dismissal of Captain Purdy has saved thousands of dollars to this country. The steamer this year has done much more work at a much less cost. I say it is necessary to the Public Service that efficient officers should be appointed, and, if they perform their duties properly, they should be kept in their positions and rewarded. As regards the dismissal of Mr. McKechnie, on the Prince Edward Island Railway, the hon. the Minister of Railways, after a careful examination, conceived that a large amount of money might be saved by dispensing with his services. But he was not the Chief Engineer; he was the Superintendent of the road. Mr. Cunningham was sent there as engineer, and there was not work for both of them. However, we do not deny that, when appointments are to be made, we do not usually choose them from among our political opponents. A large amount of money has been saved in salaries on that road, and its working now gives general satisfaction. The hon. member for Prince County (Mr. Yeo) has referred to some officials that were dismissed, to which I do not think necessary to reply. But there was another dismissal that took place in his own county, of a gentle-

man filling the position of Customs Collector. He wanted to enter the Local Legislature, and ran contrary to law, for under the Local Act a man cannot occupy a seat in the House of Commons and hold an official position in the Province. He did not send in his letter of resignation, but the hon. member for Prince County carried it to the head of the Customs Department and said: "Here is Mr. White's resignation; he is running for the Local Legislature. But I intend to keep it, only I want you to take notice that I have shown it to you." If he were elected, his resignation would be in the hands of the Department, but in the event of defeat it was to be handed back to him.

MR. YEO: I deny that *in toto*. I can take an oath that I never saw his resignation up to this day. It was told me that he sent his resignation in, and that he saw the hon. the Minister of Customs last summer, at Summerside, and that hon. gentleman rebuked him for running for the Local Legislature. The former said he had sent in his resignation, and asked why someone had not been appointed in his place. For my part, I deny that I ever saw the resignation. I think it is wrong for the hon. gentleman to get up in this House and state that without having some proof. I do not see where he can get his proof.

MR. POPE (Queen's, P. E. I.): I call upon the hon. the Minister of Customs to state what occurred.

MR. BOWELL: I was in Summerside last summer, and had an interview with the gentleman to whom reference has been made. He had positively denied to the Inspector of Customs in Nova Scotia, who was then on an inspecting tour through Prince Edward Island, that he had run an election at all. Then I met him in presence of the Inspector, and asked him how he expected to perform his duties as Collector if he was elected to the Legislature of Prince Edward Island. I may say also that there were charges against that gentleman which it is unnecessary to refer to now. The hon. gentleman knows that his accounts were in such a state as to justify his non-retention in office. When asked how he expected to perform his duties while running an election, particularly if elected, he replied that he had sent in his resignation, entrusting it to the hon. gentleman from

Prince County, who has demanded this explanation. I told him I had heard nothing of it, but would enquire. I asked Mr. Johnson, the Commissioner, about it, and I think his word is to be relied upon as well as that of any man in the country, and he told me distinctly that the hon. gentleman from Prince County (Mr. Yeo) brought the resignation into the office. The Commissioner asked that the resignation be left with him, but the hon. gentleman (Mr. Yeo) said "No," but wished him to take note of the fact that he had been in the office and showed it to him. That is the authority upon which my hon. colleague made the statement. I leave it to my predecessor in office, or to any gentleman who has had any transaction with the Commissioner of Customs, to judge of the correctness of any statement he would make.

MR. CASEY: I rise to a point of order. It is against the Rules of the House to dispute the credibility of any hon. member.

SIR JOHN A. MACDONALD: I think the hon. member for Prince County invited this and insisted on the proof.

MR. CASEY: I press my point of order. It is not right for any member to state that he will leave it to the House whether or not the word of Commissioner Johnson is not as good as that of any hon. member.

MR. BOWELL: The hon. member for Prince County challenged my hon. friend for his authority, and the demand was acceded to.

MR. MILLS: The hon. gentleman went further than that. He impeached the word of the hon. member for Prince County. He said the word of Commissioner Johnson should be preferred.

MR. BOWELL: I did not. I said that anyone who knew Commissioner Johnson would not dispute his veracity.

MR. MILLS: And the hon. gentleman appealed to his predecessor in office to substantiate his statement, that the word of Mr. Johnson should be taken and that of the hon. member for Prince County should be rejected.

MR. YEO: I did not see the Deputy Minister last winter, and I have no recollection of being in the office since the late Minister went out. I will go before a magistrate to-morrow and testify to that effect. I do not dispute Mr. Johnson's

word, but let him do the same, and we will have the matter properly before the House.

MR. POPE (Queen's, P.E.I.): Whether the hon. gentleman doubts the word of the Commissioner of Customs or not, I was correct in the statement I made.

MR. CASEY: I ask for the ruling of the Speaker on my point of order.

MR. SPEAKER: I think the whole discussion is out of order.

MR. CASEY: The point is, whether any hon. member, who has made a statement with regard to his personal conduct, can be impeached by any other gentleman.

MR. SPEAKER: Not at all. When a member states a fact, or gives an opinion in the House, his word ought to be believed.

MR. POPE (Queen's, P.E.I.): I have been challenged myself during the course of this debate. Reference has been made to the dismissals in Prince Edward Island, and it was stated that they were made in violation of the law. I will go a great deal further, and show how far the late Government went. Two or three of those dismissed by Order in Council were re-appointed. Our friends were dismissed and paid off. Those men who were reinstated on account of the support they gave to the Government were paid at the salary fixed; but our men were paid at the salary which they were in the habit of receiving before Confederation. I went one day every week to try and get justice done, but failed. I was told the men had never been paid. The amount stands charged to-day against Collector Currie, who is dead, while our men were turned out and paid a smaller salary than they were in the habit of receiving. Those who were guilty of that conduct are the same persons who charge the Government with wrongful dismissals.

MR. COCKBURN: Late in 1878 the post-office in Hillside was closed and the postmaster dismissed. The man was doing well, and I am sure that, if the case had been investigated, justice would have been done to the locality. There is no doubt but that some rival, actuated by malice, sent in an adverse report and the office was closed. I think if the hon. the Postmaster-General investigated the matter the office would be reopened.

MR. CASEY: Before the motion is

put, I wish to say a few words to recall the debate to the point at which it started. We began by discussing how the Government could justify the placing of inexperienced men in office and the discharge of competent officials. I find from the discussion that my motion was fully justified. The remarks of the hon. the Minister of Inland Revenue gave an entirely new aspect to the question. His statement, which was backed up by the right hon. the leader of the Government, was that the Weights and Measures Act was intended chiefly to secure economy. They reduced the number of men employed from 125 to 40 and the question arose as to who should be retained. The hon. gentleman, it appears, did his best to secure the retention of all who were efficient, and the reason why he only retained twelve of the old men was that the rest was not fit for the duties to be entrusted to them.

MR. BABY: I never said anything of the kind.

MR. CASEY: The hon. gentleman stated distinctly that he wished to secure efficiency, and that he only retained twelve, and the inference was that the twenty-eight were dismissed on account of inefficiency. If not, why were they turned out?

MR. BABY: Somebody had to be turned out.

MR. CASEY: That is what I thought. They were turned out to make room for friends of the Administration. The hon. gentleman takes another ground now. He says they were not discharged on political grounds or on account of inefficiency, but because "somebody had to be turned out." But I take the most favourable view to the Government, namely, that the men were dismissed because it was thought better men could be got in their stead. The burden of proof, therefore, rests with the Government, to shew by this return that the men they appointed are more efficient than those they suspended. If that cannot be done, it stands confessed that the men were turned out for political reasons, pure and simple. In my own county (Elgin), it would be considered ridiculous by all who know the parties to assert that the reason for making the change was the greater efficiency of the new officer. But another reason has been given for the changes. The hon.

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gentleman opposite stated that the grouping of the counties necessitated the choice of men in central places, so that they could cover the whole group. In the town of St. Thomas, however, the gentleman dismissed and the one appointed both lived in the same town. That change certainly could not be on account of the grouping system. I am also informed by the hon. member who sits behind me that the new Inspector at Brantford was sent up from Quebec. That can scarcely be the effect of centralisation. We have, it appears, got done with the word "dismissed," which is too rough and vigorous. It is something like the Captain of H. M. S. *Pinafore*, who was not allowed to use the "big, big D." I suppose the word "dispensed" "a particularly gentlemanly tone implants" in the minds of those who have the disagreeable duty of turning out Reformers and putting Conservatives in their places. Many of the men were turned out without having returned to them the sums paid to the Superannuation Fund. The right hon. the leader of the Government has told us that it was his principle not to dismiss anyone for political reasons. I believe he has really resisted a great deal of pressure. The hon. member for Niagara (Mr. Plumb) explained how the resistance was made, and he took credit for the patriotism of the Conservative party. He said: "When we came into power, we did not set to work to make appointments for the mass of offices; in the Weights and Measures Department in the hands of the Government we reduced the number of officials to forty." That is all very nice. It means that, instead of filling an occasional vacancy, they cleared the field and created forty new vacancies. I wish to call the attention of the hon. the Minister of Inland Revenue to what appears to be a mistake, perhaps on my part, however, in regard to the number of inspectors. I think the hon. gentleman gave the number as 125. I have by me the report for the fiscal year 1878-9, and I can only find that ninety-seven inspectors received pay. The right hon. the leader of the Government says that all cause of dissatisfaction has been removed under the present administration of the law. He states that Hamilton has become pleased with the working of the Act. It does not appear, however, that Montreal is satisfied.

MR. GAULT: The traders are quite satisfied now.

MR. CASEY: A great part of the official report I have in hand is taken up with the argument against the dissatisfaction expressed by the manufacturers. The head of the Department said the manufacturers would object to anything like official supervision. If this is a correct official report—that this dissatisfaction is groundless—I must now infer, from the statements of the hon. the Minister of Inland Revenue, that all checks upon the makers of weighing machines have ceased. That is the point of difference between them.

*Motion agreed to.*

SHELBURNE HARBOUR—EXPENDITURE ON LIGHTHOUSES.

MOTION FOR STATEMENT.

MR. ROBERTSON (Shelburne) moved for an Order of the House for a detailed statement of expenditure incurred during the years 1878 and 1879 in repairing lighthouse, and erection of new buildings at the light station, McNutt's Island, Shelburne Harbour, Nova Scotia, and a similar statement of expense incurred during the same years at Cape Sable light station, in the same county. He said that a large portion of the lumber and other materials used for those works, and the carpenters required, were brought from Halifax by steamer, when they could have been more cheaply procured in Shelburne itself, where there was a large number of mechanics out of employment. In future the residents of the county or locality chiefly interested in such works should receive the preference.

MR. POPE (Queen's, P.E.I.): I have no objection to send down the papers asked for. The old building had to be torn down, and others repaired, but a steamer was not specially sent from Halifax with materials and carpenters as represented. The Government steamer had to be sent to all the the stations at regular periods, and on this occasion we found it better and safer to send to our agent at Halifax, and have the matter put in his hands with instructions to adopt the best and cheapest means of performing the work. It was well done, which justifies the course followed. I do not think any extravagance was per-

mitted, the whole expenditure on the Island being only \$900.

*Motion agreed to.*

DRAWBACK ON INDIAN CORN.

MOTION FOR ORDER IN COUNCIL.

MR. CASEY moved for an Address for a copy of Order in Council authorising a drawback of five cents per bushel on Indian corn imported for the manufacture of starch; also copy of any Minute of Council or other document which explains the grounds on which this Order was issued. He said: The operation of the duty on Indian corn has been watched with the greatest care by the farmers, because it is one of those taxes supposed to compensate them for the burdens laid on them in order to encourage home manufactures. However doubtful a boon this protective tax might appear to the farmers, even if it accomplished all claimed for it, namely, the raising of the price of corn, it appears in a different light when the discrimination appears in favour of the manufacturers as against the farmers who import this corn, and that is what they complain of in the Order in Council to which my motion has reference. That Order provides that a drawback of five cents per bushel on corn be allowed when imported for the manufacture of starch to be exported. A large number of farmers import corn for the manufacture of beef, to be exported to England, and rightly complain of being charged  $7\frac{1}{2}$  per cent. on it, while the starch-makers pay but  $2\frac{1}{2}$  c. per bushel. The hon. the Minister of Customs stated that he calculated the refuse from corn used in starch-making as worth  $2\frac{1}{2}$  c. per bushel for fertilising purposes, and that, if it could be shown the refuse after the feeding of cattle with corn was worth as much, he would consent to the same drawback. We all know that the land is greatly fertilised by the manure from corn-fed cattle—that their manure is richer than any guano. This manure is left in the country, though the cattle are exported, making, with the profit realised on the beef, a double gain. Stock-raising is a necessary accompaniment of good farming, the presence of cattle being necessary to the maintenance of the fertility of the land; and cattle cannot be profitably fed here on a large scale without American corn. Injury is done to the large cattle

raising and exporting interest, while a preference is shown to the small starch manufacture. Such a discrimination amounts to an insult to the larger interest. I desire to obtain by my motion the real reasons of the drawback in question. If the argument for a drawback on account of the good feeding properties of the refuse of corn from starch be sound, it is stronger still as regards the refuse from whiskey, though, of course, the favour will be shown to that interest by the hon. the Finance Minister; but I am concerned only with our farmers, who are placed at a disadvantage compared with the English farmers, who can have American corn laid down in Britain as cheaply as in Canada, the ocean freight only equaling the discriminating duty against Canadians. Yet this discriminating duty is defended as a tax in the Canadian farmer's interest. It will be the duty of the hon. the Minister of Finance and the hon. the Minister of Customs, hereafter, to explain how they have overlooked this point.

Motion, *agreed to*.

#### EXCHEQUER COURT—PETITIONS OF RIGHT.

##### MOTION FOR RETURN.

MR. GUTHRIE moved for an Address for a statement showing :

1. The names of all suppliants who have filed Petitions of Right in the Exchequer Court, and whose claims have afterwards been compromised or submitted to arbitration, or in any way withdrawn from the Court or disposed of otherwise than by the Judges.
2. The stage the proceedings had reached before such compromise or submission.
3. The terms of compromise or submission.
4. The results of any such arbitration.
5. Also for copies of any report or statement in writing made at the time, showing the reasons for withdrawing such cases from the Court.
6. Also for copies of the petition, answer and other proceedings, and the judgment on demurrer in the case, in the Exchequer Court, of *Marshall Wood versus the Queen*.

He said: In asking for this Address, I do so for the purpose of ascertaining the extent to which this system of arbitration has been adopted by the Government in dealing with claims against the Crown—claims that have been first preferred in the Exchequer Court. It will be remembered that that Court was established some four years ago, and it was clothed

with jurisdiction to try issues both of law and of fact, and to try legal and equitable issues without a jury, to hold trial in any part of the Dominion, and to hold trial partly in one place and partly in another, as might be convenient. The Court had also ample powers to refer any question of damages to the Registrar or a referee, and so completely possessed was the Court of jurisdiction to try thoroughly all sorts of claims against the Crown, that I find the present leader of the Government on that occasion actually advocated very strenuously the abolition of the official Board of Arbitrators. I find it is reported that Sir John A. Macdonald said :

“As the hon. gentleman had restricted the right of petitioners with regard to tribunals before which their cases should be tried, he might as well go still further and abolish the official Arbitrators altogether.”

And again :

“He therefore thoroughly approved of the limitation proposed by this Bill, under which the Court should judge of fact as well as of law, and if this were provided, what was the use of a reference to a Court of Arbitrators?”

And then, after explaining and approving of the system in operation in the United States, that is, the trial of claims against the Government by trained Judges, the right hon. gentleman proceeded :

“Under the circumstances, he would press on the Government the advisability of doing away with the official Arbitrators, and leaving all these matters to be tried by the Supreme Court and the Court of Exchequer.”

Mr. Cameron, then member for Cardwell, also took very strong ground in favour of doing away with Arbitrators and leaving the whole matter to be tried by the Exchequer Court, and the present Minister of Railways took the same ground. It is a matter of surprise, therefore, these being the views of the gentlemen now composing the Government, to find, as it is reported, that several very important claims have been referred to arbitrators, have been taken out of Court, as we understand it, where they could be dealt with in a thoroughly efficient manner, where justice would be done and where the interests of the Crown and suppliants would equally be well guarded, and placed under the control of gentlemen whose functions, in

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the opinion of the leader of the Government, ought to cease. I think, therefore, the House and the country are entitled to the information this Address asks for.

SIR JOHN A. MACDONALD: The hon. gentleman is mistaken in supposing that there are a number of cases of the kind mentioned which have been withdrawn from the Court and left to arbitration. However we will not discuss that until the return comes down. It will speak for itself. The hon. gentleman quotes the remarks I made when the Supreme and Exchequer Court Bill was before the House. I then thought it would be quite as well to have given the Court of Exchequer complete jurisdiction over such matters, and that the Official Arbitrators need not be any longer employed. We were, however, overborne by the wisdom of hon. gentlemen opposite, and I have no doubt the hon. gentleman who has just spoken was as strongly in favour of retaining the services of these Official Arbitrators as those with whom he acts. The suggestion, however, was not assented to by gentleman opposite, and the Official Arbitrators were retained; and, if I am not much mistaken, they were employed systematically and continuously by the hon. member for Lambton (Mr. Mackenzie) during the time he was at the head of the Department of Public Works and at the head of the Government. It does not lie well with the hon. gentleman who thwarted us in our praiseworthy attempt, as it would appear from his remarks, to invest the sole jurisdiction in the Court of Exchequer, to cross the floor now.

Mr. MACKENZIE: The hon. gentleman at the head of the Government has a very short memory when he says no case has been withdrawn. I objected very strongly last Session to the withdrawal of the case of Murray.

SIR JOHN A. MACDONALD: That was not withdrawn.

Mr. MACKENZIE: Yes; there was an interlocutory judgment delivered, and the case was then referred to the Registrar of the Court, to take evidence on certain points and report to the Court. The result of this, I believe, was a loss of over \$100,000. There was another case, which one of the Arbitrators told me had been submitted to him for enquiry and report.

I do not know what the result has been, although it is stated in the papers that he has given his decision. The hon. gentleman will search in vain for any act of mine that looked in the direction of submitting a case to arbitrators that had been submitted to the Court of Exchequer or any other judicial tribunal. My idea was, and now is, that no case of magnitude should be settled by any arbitrator, but should be sent to the Court of Exchequer. It was with that view that the Petition of Rights Act was passed. It was a gross outrage to submit such a case as that to one man, whose capacity was not such as to justify any reference of such an important case. I am very glad my hon. friend has brought the matter up, in order that I may discover the exact facts as to the other cases.

SIR CHARLES TUPPER: I am astonished by the statements that have been made by the leader of the Opposition. The case he refers to of Murray vs. the Queen was tried before Mr. Justice Fournier, in June, 1877. He took a year to consider the question, and in June, 1878, he gave judgment on all the legal points raised by the defence against the Government, and he declared that an examination should be taken by the Registrar into the measurements, which he stated was necessary in order to establish the position of the case. It was obvious that the Registrar would not be as well qualified as an expert for the purpose of taking measurements, and that the interests of the Government could not be protected by this evidence being taken before a person who was not a professional engineer. The services of Mr. Keefer were obtained for the purpose of discharging the duty assigned to the Registrar. Mr. Justice Fournier decided the case against the Government, who were bound to appeal if they thought the judgment wrong. They did not do so. The plaintiff, who had obtained judgment in his favour, called upon the then Minister of Public Works, who has now brought this question up. In his letter he says:

"About the 1st of August last, I called on the Hon. Mr. Mackenzie in reference to the matter, when he told me that if it could be arranged in any way speedier than by the tedious process of taking on account before the Registrar, he would be happy to do so, and he requested me to have the Hon. John O'Connor,



one of my counsel, come and see him on the subject. Mr. O'Connor and I went before him, when after some consultation together, Mr. Mackenzie said he would procure a copy of the judgment, and would let us hear from him in a few days. Nothing has since been heard from Mr. Mackenzie on the subject, nor has anything further been done."

I suppose the hon. gentleman was otherwise engaged. He never let them hear from him. That was the position in which the matter came before us. The application was referred to Mr. Lash, Deputy Minister of Justice. Mr. Lash says in his reply :

"Mr. Justice Fournier held that, as a matter of fact, changes had taken place in the grades and lines of location, which entitled the contractor to a decision by the Commissioners (or the Ministers as representing them) as to whether such changes subjected the contractor to a deduction for diminution of work, or entitled him to an allowance for increased work. He held further that, as a matter of fact, such decision had never been come to by the Commissioners or by the Minister. That, therefore, it was impossible to say what amount (if any) the contractor was entitled to on account of these changes, and he referred it to the Registrar of the Court, to obtain such legal evidence as could be adduced by the parties for the purpose of getting the number and quantity of alterations of the location, and of the grades which either increased or diminished (as the case might be) the work under contract, and of ascertaining the value of such increase or diminution, and the balance which might be due to either party after these calculations were made. The Registrar has not yet taken any proceedings under this order, and Mr. Oakes now asks that the Department of Public Works should do what the learned Judge has referred to be done by the Registrar of the Court. I see no legal objection to the Department undertaking to settle the matter, and to make the necessary measurements and calculations, etc.; but it should be done by the Department only upon the parties entering into an agreement to abide by the decision which may be come to, leaving nothing for the Court to do in the case, except to make the necessary order or decree to carry out such agreement, and to decide upon the question of the costs of the legal proceedings."

So that, under Judge Fournier's judgment, Mr. Lash declared that the only thing to do was to have the measurement ascertained as directed. It was decided to substitute Mr. Keefer, a professional man, for the purpose of protecting the interests of the Government in relation to this question, which it would be impossible for the Registrar to do. Mr. Lash was called upon to prepare an agreement. He did so, and enclosed it in these terms :—

SIR CHARLES TUPPER.

"MURRAY vs. THE QUEEN.

"MY DEAR SIR,—The enclosed agreement, referring to the award of Mr. S. Keefer, the claim in this case is correct in form. The effect is as follows :—

"1. The petitioner's whole claim is referred.

"2. The Crown abandons any claim for penalties on account of delay in prosecuting the work.

"3. The costs of the proceedings in Court are to abide the event; that is, the successful party gets them, and the costs of the reference are to be fixed by the Arbitrator. If Council approves of the agreement, an Order should be passed in the form of report enclosed.

"Yours truly,

"(Signed)" Z. A. LASH.

"The Hon. C. TUPPER."

The testimony was taken. The gentleman who was appointed by the leader of the Opposition, then Minister of Public Works, was familiar with the whole case, and had tried it in the Court before Judge Fournier.

MR. MACKENZIE: Who was that?

SIR CHARLES TUPPER: Mr. McIntyre; he was employed by the Government as the most competent person to protect the interests of the Government, and I believe that gentleman has very efficiently discharged his duty. After the evidence had been taken and the award made, I referred the matter to Mr. Lash, to know if we had power to appeal against that award. Here is his answer :

"OTTAWA, 3rd May, 1879.

"MURRAY vs. REGINA.

"SIR,—You have asked my opinion as to the correctness of the award made by the Arbitrator in this case.

"The evidence, which was reported in shorthand, is exceedingly lengthy. I have found it impossible in the time at my disposal to peruse and consider it. I doubt my ability to properly understand it, or to form an opinion from it as to the correctness, or otherwise, of the Arbitrator's finding, as from the nature of the case, no one but an Engineer, or person having the knowledge of an Engineer, could properly deal with it.

"I have, however, read Mr. Keefer's statement, giving the particulars, etc., of his award. I think he has dealt with the case upon proper principles, and with the exception of one item referred to below, the amount he has allowed to or deducted from the petitioners claim are, he states, found to be the result of changes of grade or location, or had been admitted by the Government Engineer to be extras. This is exactly what the Court ordered the Registrar to do, and what I fear the Registrar, not having the necessary technical knowledge, could not himself have properly done without being assisted by an Engineer.

"As Mr. McIntyre, the counsel employed by the Crown, had attended both the trial before Judge Fournier and the reference before the Arbitrator, and was therefore familiar with all the evidence, I wrote him the letter, of which copy is enclosed, asking his opinion on the award. I enclose copy of his reply, by which you will see that he thinks the evidence fully warranted the finding.

"The item I referred to above is No. 36 in Mr. Keefer's statement, consisting of \$1,000 allowed for loss sustained by the contractor in not getting a borrow-pit for nearly a year after he should have got it. This item does not, of course, depend on change of grade or location, and so would not have come within the reference to the Registrar made by the Judge. The Court, however, on receiving the Registrar's report on the other items, could have dealt with this, and I am not prepared to say that the contractors are not entitled to an allowance for the loss sustained.

"On the whole, I think substantial justice to all parties has been done by the award, and that it would be useless to move against it.

"I have the honour to be, Sir,  
"Your obedient servant,

"(Signed) Z. A. LASH,  
"D.M.J.

"The Hon. C. TUPPER,  
"Minister of Public Works."

"DEPARTMENT OF JUSTICE,  
"OTTAWA, 15th April, 1879.  
"MURRAY vs. REGINA.

"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 grounds.'

"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 honour 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,  
"D. M. J.

"A. F. MCINTYRE, Esq.,  
"Ottawa."

"OTTAWA, 26th April, 1879.  
"MURRAY vs. REGINA.

"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 honour to be, Sir,  
"Your obedient servant.

"(Signed) A. F. MCINTYRE.  
"Z. A. LASH, Esq.,  
"Deputy Minister Justice,  
"Ottawa."

This is Mr. McIntyre's reply, and, after this statement of the gentleman whom the hon. the leader of the Opposition selected, I think the hon. gentleman will not venture upon a repetition of the statement he has made here to-night.

MR. MACKENZIE : Yes, he will.

SIR CHARLES TUPPER : Then he will discredit his own counsel. He will stand in the position of having failed in his duty to the Crown by having failed to appoint a person competent to protect the interests of the Crown. Here is the statement made by a gentleman appointed by the hon. the Minister of Public Works at that time to protect the interests of the Crown, and that statement was one of a gentleman who had before him all the evidence. There is the opinion of Mr. McIntyre himself, that the finding of Mr. Keefer was correct. Mr. McIntyre sustains the finding of the award as being supported by the evidence. If anything would induce the hon. gentleman to withdraw the statement he has made, it would be this. I have read the opinion of his counsel, and now what Mr. Lash said, both of whom did own that the evidence warranted the finding and that justice has been done. Now, I am sure the hon. gentleman could not have read this, or if he has read it he must have forgotten it, or he would not have made the statement he has made against the authority of his own trusted officers, who have justified, to the fullest extent, the award in that case, and have stated distinctly that it would be useless to move against it.

MR. MACKENZIE : The hon. gentleman was in the habit, during our Administration, of accusing me of shielding myself behind some officer, but now he does it systematically. He has referred to the opinion of the Deputy-Minister of

Justice and the attorney for the Crown. But, Sir, the Deputy-Minister of Justice was not responsible for the case. I contend that the case should not have been withdrawn from the Court. It is the withdrawal of the case from the Court that I charge the hon. gentleman with. There was no difficulty whatever in the way of the District Registrar taking the evidence with the assistance of Messrs. Fleming and Schreiber; but it was taken wholly out of the Court by the Government, who relegated it to one gentleman, long ago removed from the Public Service, and they left it to him to say what the evidence would justify; and whatever his interpretation of the evidence was. It was the sole ground upon which the verdict was given. It should not have been taken out of the Court at all; the taking of the evidence required by the Judge, before giving his final decision, has been done there properly by the Registrar, with the assistance of the Engineers of the Department. I did not see the printed paper until the hon. gentleman was reading it.

SIR CHARLES TUPPER: It was in the Sessional Papers.

MR. MACKENZIE: Well, I was not aware of it. If I recollect aright, neither Mr. Fleming nor Mr. Schreiber were before the Arbitrators to give evidence or direct the taking of evidence. I think not. That is my recollection, and they were not called upon to make special reports to the Arbitrator on the matter. Everything seems to have been arranged in the loosest fashion. I do not accuse the Government of having purposely put the case in the worst possible light, but if they had purposely done so, it could not have been done more loosely. As to bringing up the opinion of a young lawyer, Mr. McIntyre, he is not responsible for withdrawing the case. As to his opinion, that the case was not appealable, his judgment on that point may be right; I leave that to legal gentlemen understanding the technicalities of the law.

MR. McDONALD (Pictou): I just have one word to say with reference to this matter. I am glad to do so and to find that I am free to do so. I was engaged in many of these cases at the Bar before I took office, and during the Session I was under the impression that I was engaged in this one, but on enquiry I find

that I was under a wrong impression, and therefore I feel at liberty to make an observation or two to the House. The reason why I did not take part during the progress of the investigation before the Arbitrator was in consequence, of course, of being under the impression that I was the counsel in the case, and that, therefore, I had no right to act. I am now able to discuss the point which the hon. the leader of the Opposition has raised. If I understand the hon. gentleman, he says that wrong was done only in one particular, namely, taking the case out of Court and leaving it to the Engineer.

MR. MACKENZIE: No; the hon. gentleman misinterprets me if he says I said that was the only point. What I say is that the great blunder was in withdrawing it from the Court.

MR. McDONALD: It was the same thing. The only withdrawal was the substitution of Mr. Keefer for the Registrar.

MR. MACKENZIE: It should have been left to the Registrar, who could have taken Mr. Fleming, or Mr. Schreiber, or other experts, and made the examination; and from him an appeal would lie, but that was not only not done, but the whole thing was left to Mr. Keefer, as sole Arbitrator, without any appeal whatever. It was so arranged that there could be no appeal.

MR. McDONALD: Practically there is no misunderstanding between us. The hon. gentleman says the wrong was done in making Mr. Keefer the Arbitrator instead of the Registrar, and, by so doing, depriving the parties of any appeal. In reality, the argument does not apply in the slightest particular, as a very short summary of the proceeding will show. The action was brought in the usual course, by Petition of Right. Judgment was given by Judge Fournier, in which he states that the claim for compensation for change of grade and the change of location was well founded, and, further, that, by the action of the hon. the Minister of Public Works, any objection arising from the clause in the Statute had been waived. He held on the evidence of Fleming and Schreiber—on the evidence of engineers engaged on the work—that in point of law and in point of fact it was clear that a great wrong had been done to these contractors, and that that wrong ought to be redressed. Against that judgment, there

MR. MACKENZIE.

was an appeal in the Supreme Court, because he had decided by that judgment every point of a legal character raised on the record, every legal objection that could be taken, and that the only point that was to be determined was ascertaining the amount due, if any. It was clear that a gross wrong had been done these people. The manner in which the surveys were taken was of a character simply disgraceful to the men who performed the work. If my hon. friend will refresh his memory, he will see that the District Engineer, who made the surveys, and the assistant engineers by whom reports were made were guilty, according to their own admission, of conduct which was not only careless but disgraceful to them as professional men. My hon. friend will see that it is proved that the mode of management was this: a young lad incompetent for his work, instead of measuring the work in the ordinary way, went, as he admits, to the side of a hill and guessed a whole month's work, without attempting measurements except by the eye; and it is in evidence that he did not on some occasions even take that trouble; he guessed the amount of work that ought to be done by a certain number of men, and gave these worthless returns to the Engineers upon such a basis. Can it be wondered at that such a decision should be arrived at by the Department, founded on the certificate of the Chief Engineer, who in turn was misled by the incompetency and recklessness of the men who made the reports, on which the right of these individuals were to be determined. The judgment of the Court, which could be appealed from, having thus found that the surveys were unreliable, and of a character rendering it impossible that justice could be done, and that these surveys could not be accepted as the basis of calculation—Judge Fournier having found, in fact, that an investigation should be made by the Registrar of the Court, or some other person, as to whether, on a re-measurement, on a strict and careful re-measurement and investigation, there was anything due to these people, for change of location or grade—it was thought more proper to withdraw it from the Registrar, Mr. Cassels, and put it in the hands of a competent engineer. I have never heard Mr. Keefer's ability or integrity doubted. In selecting him the Government thought

they were putting it into the hands of a man highly competent to perform such a duty. I need not ask any gentleman of candour in this House whether it was possible that a gentleman of no technical knowledge, of no engineering skill, could take the evidence as well as it could be taken before a competent engineer, upon points involving technical matters of this kind, and give satisfaction to the public or to the Government, or whether it would be possible, on any analysis of evidence taken before the Registrar, to ascertain the amount of work done and the amount due. My hon. friend says the evidence should have been taken by the Registrar with the assistance of Mr. Schreiber and Mr. Fleming. I am surprised to hear the hon. gentleman put forward such a theory as that parties in a case should select their opponents to take the evidence and help to decide their case. I am surprised to hear my hon. friend take exception that Mr. Fleming had been examined as a witness before Judge Fournier. It was his duty to protect the public interests; he relied upon these sub-engineers for the information which guided him; and my hon. friend, I presume, relied upon him for the information by which he was guided, and therefore it was that the whole question got back to the competency of the District Engineer and his assistants, and the character of their work. Very well, my hon. friend would not ask surely that the rights of these contractors should be determined, not by the Court, but by Mr. Cassels, with the assistance of Mr. Fleming and Mr. Schreiber. If Mr. Cassels was competent, he did not want Mr. Fleming's assistance; if not competent, then undoubtedly he was not the man that my hon. friend ought to desire to sit down and arbitrate, or determine, or calculate the amount which was due to those contractors, if any amount was due. My hon. friend asks why was not Mr. Fleming called and examined? That I do not know. Mr. Fleming was here in his office; the Court was held by Mr. Keefer in Ottawa, in the same building, for aught I know, in which Mr. Fleming's office is. If the counsel for the Crown desired Mr. Fleming's evidence, instructed as they were, it was easily forthcoming. But the reason is plain, they did not desire it because he had been examined—

not before Mr. Keefer or Mr. Cassels, but before Judge Fournier himself; and it was on the evidence of Mr. Fleming, together with that of the engineers, that Judge Fournier had arrived at the conclusion that in a legal and equitable point of view these people should not be precluded from the investigation they sought. The only argument my hon. friend can put forth is that Mr. Cassels should have done it instead of Mr. Keefer. Now, why should that be so? Why is Mr. Cassels more competent to deal with a question like this? Mr. Keefer is an engineer of high standing and entirely competent to detect inaccuracies, if any were committed by the engineers on both sides. It must be remembered that these men sought to establish their claims, not by their personal testimony, but by competent engineers employed by them to make a careful survey of the work done and a careful investigation into the allegations of the contractors as well as into those of the Government Engineers, and, therefore, the Arbitrator, whoever he may be, or the examiner, whoever he may be, not only must be competent to take and transcribe testimony, but also be able to report, if his report was to be of any value, upon the character and nature of the testimony given before him. Now, we will take it in another point of view. Supposing Mr. Cassels had transcribed the testimony; supposing that, adopting the suggestion of my hon. friend, he had got Mr. Fleming and Mr. Schreiber to assist him in taking the testimony, and that it had gone before Judge Fournier. My impression is that the first step of Judge Fournier would have been a reference to a competent technical authority, a professional authority, to determine the allegations of the respective engineers examined on both sides. This testimony was submitted to Mr. Keefer, not only the testimony taken before himself, but the testimony taken at full length before the Judge charged with the investigation and I hold, that he was the most competent judge to decide this question. The award was of such a character, as my hon. friend has just stated, as not only to approve itself to a professional man of the standing of the Deputy Minister of Justice, but to the counsel acting for the Crown, who had been appointed to conduct the case from

its inception before the Exchequer Court, and, who was I believe, entirely competent to deal with that matter. It appears to me, therefore, from these facts, both as to the law and to the evidence adjudicated upon, that only simple justice was done to these people, and I believe that this House and this country desire that, while we protect carefully and scrupulously the public interest in dealing with matters of this kind, and in every way observe those guards and checks which the law imposes at the same time when a case appears as clear as the sun at mid-day, men who have spent their substance in the public interest should not be deprived of their rights by a mere technicality.

MR. CAMERON (South Huron): The hon. gentleman who has just sat down has not in any way touched upon or answered the complaint made by the hon. member for Lambton (Mr. Mackenzie) as to the way in which the case of Murray *versus* the Queen was disposed of. The House must remember that we are not discussing whether the engineers in charge of these works were competent or otherwise. It is of no consequence, so far as my hon. friend's complaint is concerned, whether they were skilled engineers or not—understood their business or not—sat, as the hon. the Minister of Justice says they did, on the hill sides or on the mountain tops, or for that matter, upon a tree top and took their observations therefrom. That is not the question we are now discussing. The hon. gentleman has sought to lead the House away from the real complaint made by the hon. member for Lambton and others on this side of the House. What we complained of last Session, and what we now complain of, is that the Government did wrong and were not justified in removing the case from the Courts at all and handing it over to the judgment of a sole Arbitrator. The ground the hon. member for Lambton put it on was perfectly clear. In the first place, by removing the case from the jurisdiction of the Court and placing it in the hands of an Arbitrator, and making the Arbitrator a judge of the law and of the facts, you have deprived yourselves of the right of appeal. do not say whether the award was right or wrong; that is not an element that

should enter into the consideration of this question. What I do say is that, by your interference with the ordinary proceedings of the case in Court, you effectually cut yourselves out from an appeal altogether. In making Mr. Keefer sole Arbitrator in the case, you have constituted him a judge of the law and of the fact, and you cannot appeal from his judgment, and the only way you can get rid of the award is that the Arbitrator was guilty of fraud, and that fraud you would require to establish clearly before the Courts would interfere. No ground of that kind is suggested by anyone. If my memory serves me right, that is the only ground upon which the counsel for the Crown based his opinions, as appears by the papers brought down last Session, that no appeal would lie from this award and that the Government had no redress unless it could be shown that the Arbitrator had been guilty of fraud.

SIR CHARLES TUPPER: Mr. Lash's opinion was that an appeal would lie.

MR. CAMERON: But upon what ground? You cannot appeal from the award. You move the Courts to set it aside, but the application to set it aside must be upon some ground, and the only grounds upon which such an application would succeed would be either that the Arbitrator exceeded his authority or was guilty of fraud. A reference to the papers submitted to Parliament will show that Judge Fournier decided certain legal propositions submitted to him in favour of the suppliants. But that by no means disposed of the case. In the subsequent investigation, other and more complicated questions of law and of fact must necessarily arise before the Arbitrator, in the construction of the contract, and in dealing with the question of extras under the contract. And with this position of affairs staring you in the face, you withdraw the case from the proper tribunal and hand it over to an irresponsible person, a man who is not a lawyer. You not only make him the judge of the law and of the facts, but, in the event of the award being clearly, in your own judgment, wrong, you effectually deprive yourselves of the right of appeal on either the law or the facts, and this is what we properly complain of. The ground taken by the hon. the Minister of Justice and the hon. the

Minister of Public Works is that the Registrar was not competent to deal with the case, because it involved some matters which could only properly be dealt with by an expert. The hon. the Minister of Justice says that, if the matter had gone back to Judge Fournier, he would have referred it to experts, because there were questions involved in it that do not usually come before the Courts, and that could be more satisfactorily dispensed with by an expert. The hon. gentlemen know well that every day in the Courts Judges dispose of cases involving professional and scientific questions of the most complicated kind with the help of the evidence of men skilled in such questions. There was no reason why the Registrar of the Court should not take the whole of the evidence—professional and otherwise—and then with the aid of such professional evidence dispose of the whole case himself, or, as contemplated by Judge Fournier's judgment, submit the evidence to the Court for final adjudication. But by the improper conduct of the Government the right of the Crown to obtain the judgment of the Court of last resort is gone. The Registrar is a professional man of standing and quite competent to decide any legal questions that might arise in this case, and no one knows better than the hon. the Minister of Justice that legal questions would necessarily arise, such as the construction of the contract; the meaning of it as read by the surrounding circumstances; the question as to whether the extras claimed by the suppliants should be allowed to them under the peculiar wording of the contracts sued on; and the restrictions and conditions set up in the contracts. The right of the suppliants depended upon the construction you put upon the contract and upon the evidence admissible under the contract, as read by Judge Fournier. Now, all these questions were withdrawn, without reason, from the jurisdiction of the Court, and placed in the hands of a man utterly incapable of dealing with them. It does seem to me that the hon. member for Lambton has well-founded ground of complaint, and that it has been in no way answered by gentlemen opposite. I do not know whether the award was right or wrong. I do not care to enquire whether the facts and the law justify the award—that is not the ground of complaint. The

evidence and the law may justify the award or they may not—but nothing that has been said to-night would justify the Government in withdrawing this case from the Courts—cutting off the right of appeal and depriving yourselves of the power of obtaining the judgment of the Court of last resort; and this is what we complain of, and what has not been answered in the slightest degree. There is one point in the motion my hon. friend has made that I think scarcely covers the whole of the ground, and I dare say the hon. the Minister of Public Works would have no objection to its being amended; it ought to ask, not only for the returns of cases already submitted to arbitration, but of cases that have been withdrawn from the Court and submitted to Arbitrators, or referred to experts or others. I would suggest that the motion be made to embrace those cases.

**MR. KIRKPATRICK:** The hon. gentleman who has just spoken seems to think it a small matter to come here and speak upon a question before this House involving a large sum of money. He says he does not care whether the award made was right or wrong. He is here to guard the public interests, to see that the public money is not misspent or misapplied, yet he says, although these papers were brought down a year ago, although he has had time to read them, yet he does not care whether the award is right or wrong.

**MR. CAMERON (South Huron):** I did not say any such thing.

**MR. KIRKPATRICK:** That is the way I understood him, and I believe that is the way his speech will read. The hon. gentleman has been trying to make the country believe that the award of upwards of \$100,000 has been made to the suppliant in this case, when there was nothing due him, and that the Government ought to be made responsible for that sum. But if the hon. members will study the award that has been made, and will read the judgment of Mr. Justice Fournier, they will find that the hon. gentleman is entirely mistaken, when he affirms that there were legal points that might arise which Mr. Keefer could not decide; for instance, as to whether the extras should be allowed, or whether the suppliant had any rights at all in the case or not. He ought to have told the House

that all those points had been decided by Mr. Justice Fournier; that the case had not been referred to arbitration until it had gone before the Supreme Court, and a learned Judge of that Court had decided that the Government had no defence upon legal grounds; that the contractor had claims against the Government, and that these extras should be paid for. Time was given to appeal from the judgment, and the hon. member for Lambton (Mr. Mackenzie), who was then Minister of Public Works, did not appeal from it; and does it now lie in his mouth to upbraid this Government for having likewise submitted to that judgment? The Judge said the officer most available for the purpose of making the investigation into the details was the Registrar of the Court. Now, with all due deference to the Registrar of the Court, I submit that he was not the person to take the evidence, and to decide technical points as to the proper measurements and the proper quantities of the work which this contractor had done, and for which he should be paid. The Government, it seems to me, took a wise and proper course, in appointing one of the most eminent civil engineers in the country for that purpose. Notwithstanding the insinuations of the hon. member for Lambton about his capacity, I say that Mr. Keefer stands pre-eminent in this country as one of the first engineers in it, one whose integrity and capacity alike are above reproach. He took this evidence in a skilful and painstaking manner, and made a report which even the counsel for the Crown, appointed by the hon. member for Lambton, characterised as fully warranted by the evidence and facts of the case. What more can be said to justify the reference and the award? The hon. member for South Huron, speaking from the standpoint of a lawyer, has, no doubt, made out a case. He speaks as a lawyer when he says no Government should withdraw such cases from the Courts, because they prevent appeals. Speaking as a lawyer simply, I commend him, because it diminishes our work and our fees. The hon. gentleman says a thousand legal points might have arisen. Of course they might; hundreds of legal points were bristling up all around, points that bring fees to the lawyers. That is what we

want. We must live as well as the rest of the country, and the Government is a good fat client to have. But the hon. gentleman's leader does not agree with him, because he did not ask for an appeal from Mr. Justice Fournier's judgment. But now, as soon as the case is taken where it can be decided on its merits, up rises my hon. friend and says: O, you Government, you are not fit to be entrusted with the affairs of this country, because you removed this case from the Courts. You removed it from the place where we lawyers can make money, and if you do not please the lawyers you cannot please the people of this country.

MR. GUTHRIE: The hon. gentleman from Frontenac (Mr. Kirkpatrick) has succeeded in making a speech that tends to draw off the attention of the House from the points at issue. He indulges in what people outside the House call a little cheap popularity talk against the legal profession, of which he is one of the ornaments.

MR. KIRKPATRICK: One in favour of it.

MR. GUTHRIE: I supposed my hon. friend was joking. Nothing at all in the course of the discussion has justified the slightest reference to lawyers' fees. The real point is that here was a case in the hands of the Court which had given a decision on certain legal principles, and that case is taken out of the hands of the Court in such a way that the Court afterwards cannot touch it in any shape or way. Now, let us see what the judgment of Justice Fournier really says:

"Being persuaded, after a careful perusal of the evidence, that it is impossible to render justice to the parties without this measurement, I consider it my duty, reserving to myself the right of adjudging afterwards on the merits of the case, to order that this case be referred to the Registrar of this Court."

He says further what was to be referred to the Registrar of the Court:

"To obtain such legal evidence as can be adduced by the parties, for the purpose of getting the number and quantity of alterations of the location."

The Government, then, instead of leaving it in the hands of the Registrar and the Court to judge of the merits of the case, transferred it to an Arbitrator and left themselves practically helpless, no matter what the decision might be. When a case

of this kind is referred by the Court of Chancery, the reference is to the Master in Chancery. Sometimes a dozen important questions come up before the Master on different points, and sometimes it is necessary to have the Court pass on the findings of the Master, on questions of law as well as of fact. The Judge here expected the case to come back to him to be decided on its merits, and he left it to the Registrar, who is a lawyer, to hear the evidence and report. This case was, however, transferred to a gentleman who is not a lawyer, and is, consequently, not as capable of taking the evidence and deciding on the merits of the case. My hon. friend from South Huron (Mr. Cameron) did not say that he did not care for the interests of the country in this matter. He did care, and it is because he feels a great wrong has been done to the country that he speaks so warmly on the subject. He might well say that perhaps, by accident or good luck the decision is according to the evidence; but that does not affect the point that these gentlemen who had insisted on the abolition of Arbitrators turned round and put an enormous claim into the hands of an Arbitrator, taking the matter out of the hands of the Court altogether. The Deputy Minister of Justice does not say that he recommends leaving the case to Mr. Keefer, or the Arbitrator; he says that may be done if the Government see fit, and that is the extent of the opinion he gives on the subject. In answer to what I said in making the motion, the hon. the leader of the Government remarked that the late Government did not accept the suggestion of himself and the hon. member for Cumberland (Sir Charles Tupper) and the then member for Cardwell (Mr. Cameron) to abolish all arbitrations and leave the claims in the Court. The Government of that day said: We will not abolish them at once; we will see how the new system works, and we will abolish them if we find it unsatisfactory. I will undertake to show that in no instance did the late Government do what the present Administration has done, take a case partially adjudicated and put it in the hands of a layman. The country had a right to expect that these gentlemen, who insisted, when in Opposition, that cases should not be given into the hands of Arbitrators who were not competent,



would, when they had the opportunity, put in practice their opinions instead of doing violence to them.

**SIR ALBERT J. SMITH:** I must say that I am at a loss to discover the real reason for taking those cases from the Court and leaving them to the decision of one Arbitrator. We are told that Mr. Cassels is not competent to deal with the cases. Judge Fournier thought him perfectly competent, since he was frequently delegated to take sworn testimony in a case, and report back to the Court. If the Government thought Mr. Cassels was not competent to deal with the case, they should have applied to the Court to appoint another person to take the evidence. There was nothing to prevent the appointment of another man to take evidence precisely in the same manner as the Registrar of the Court would take it, and report back to the Judge. Why was it necessary that this matter should be taken entirely out of the hands of the Court and left to the decision of one man? In referring to such cases, many important points of law will arise as to the admission of evidence. Why give Mr. Keefer more power than Mr. Cassels would have? Is it to be understood that in all cases—and there have been a great many pending in the Court, and there may be some now, involving hundreds of thousands of dollars—if the Judge decides the party has a claim and refers that claim to the Registrar, to enable him to decide the case on its merits, an engineer has to be appointed with the power of deciding without any appeal being allowed. Mr. Keefer might have been appointed instead of Mr. Cassels, and he would then have been an officer of the Court, and subject to its supervision and direction. It seems to me to be laying down a dangerous precedent, that any man who has a claim against the Crown, the Judge refers which to the Registrar may have it taken out of the hands of the Court, and referred to some Arbitrator. It was done in the case of Mr. Murray, and may be done again. I think that this case, in which a large amount was involved, should have gone to the Court. The country would have been better satisfied if the decision had come from the Judge instead of Mr. Keefer.

**MR. O'CONNOR:** I had not intended to take any part in this present discussion,

**MR. GUTHRIE.**

and I would not now had I not been pointedly alluded to by the last speaker. I was counsel for the suppliant in the case now under discussion, but when I became a member of the Government I relinquished my association with the case. With regard to the reference of the case, I had nothing to say or do. I cannot but feel somewhat astonished, or to use the classic language one sometimes hears from the other side of the House, amazed at the learning and wisdom displayed by hon. members on this subject. The hon. gentleman who last addressed the House said the Judge chose to refer this matter to the Registrar of the Court. I presume to tell the hon. member that the Judge in the exercise of his judicial discretion could do nothing else, if he made a reference at all. The Judge could refer to none but the Registrar of the Court. Then we are told that removing the case from the jurisdiction of the Registrar and referring it to an Arbitrator deprived the Crown of all its rights of appeal. I must say that that is a piece of rhodomontade of a similar character to another piece which has been expressed in this case. Every lawyer knows, and I presume several hon. gentlemen on the other side of the House know, that on many points there can be a reference back to the Court. It is only on points of law that the report of the Registrar or the award of an Arbitrator can be appealed against, or rather the report of the one or the award of the other can be brought before the Court on legal grounds. The award of an Arbitrator may be attacked in more ways than the report of the Registrar of the Court, because the Court is disposed in all cases to sustain the report of its officers. The Courts are, on the other hand, extremely watchful of the proceedings of Arbitrators, and they will upset an award on points of law in arbitrated cases which they will not apply to the report of one of their officers. In the case under discussion there was nothing to prevent the counsel for the Crown watching the points of law and raising any point before the Arbitrator, and, if he decided wrongly, they had the right to take exception. But it was because the gentleman who was chosen by the late Minister of Public Works to conduct cases on behalf of the Crown saw no legal grounds of objec-

tion in this instance that they submitted there was no cause to apply to the Court to set aside the award. I cannot see why there should be so much astonishment about the matter. In a portion of his remarks, my hon. friend from Lambton (Mr. Mackenzie) said he was astonished that Mr. Fleming and Mr. Schreiber had not been examined. I presume that he knows they were examined to a great extent before the Court, and on the reference of the case by agreement between the attorneys on both sides—for neither my hon. friend who was Minister of Justice at the time nor myself took any part in the proceedings—it was agreed that the Arbitrator should read the evidence taken before the Court; and all the parties mentioned had been examined. But what does the evidence of Messrs. Fleming and Schreiber amount to? Simply this. That they, in succession, passed their reports to the head of the Department upon the reports of the division engineer, who showed, on his examination, that he had paid no proper attention to the work in his division; that he had not made measurements from time to time in a proper manner, and that he had never made a final measurement. Therefore, the other parties, Messrs. Schreiber, Fleming and Brydges, who based their reports on his reports, and who were all examined, were misled, and reported erroneously. This was all admitted and brought out clearly. It was admitted by my hon. friend from Lambton, in his letter of December, 1875, when he directed a re-measurement of the whole work.

MR. MACKENZIE: No, no.

MR. O'CONNOR: I beg pardon; such a re-measurement was ordered in that letter. The Judge held that to be a waiver of the claim of the Crown, based upon a report purporting to be a final settlement of the contract. It is clear there had never been a final measurement of the work, and therefore there could not have been a final settlement. The letter admitted that.

MR. MACKENZIE: It was not my letter; it was a departmental letter in which directions were given that the work should be re-measured, wherever deviations were made—not the whole work, as he says. I am sure the hon. gentleman cannot have read the letter, or he would not have made that statement. In that letter I said:

“I am to state that Mr. S. Fleming has been instructed to have a re-measurement made of the work done on the portions of the railway where lines or gradients originally contracted for have been deviated from.”

MR. O'CONNOR: Not your letter, but a letter written by your direction. Very well, I accept the correction.

MR. MACKENZIE: That was not a re-measurement of the whole work, but of a very small portion.

MR. O'CONNOR: It was of all that was in dispute.

MR. MACKENZIE: The hon. gentleman should not let his zeal as an advocate carry him away. Let him forget that he was the advocate, and become the legislator. His responsibility at present is not to his client, but to the Crown, the Legislature and people of this country, and it is in that capacity I desire him to address me and myself him. The letter from the Department of Public Works was with reference to the portion of land where the division had taken place. Now, the real weakness in the point with the hon. gentlemen opposite is this: they forgot all the time the ground that Mr. Sandford Fleming took with regard to the deviation. On contracts on the Pacific Railway and the Canals the work is done by schedule prices, and measurement is the only way of obtaining the price of the contract. It was not so on the Intercolonial. A lump sum was wanted, for which the work was to be finished, no matter whether the measurements given were right or wrong, the contractor being bound to finish, whether the section was right or wrong. Mr. Sandford Fleming denied there was any deviation from the contract line. Much as was said, I think by the hon. the Minister of Justice, about rough measurements, they were of no practical account except that they might give more or less at the moment on the progress estimates. The engineer was only required to give the results as closely as he could to keep the Crown safe. The measurement was for those places where any deviation had been made from the original line; but in all others it was proximate, for the purpose of giving the contractor the ninety per cent. to which he was entitled, and so soon as the entire work was completed the total amount was to be paid him. Now this man could have got the

entire amount, but he refused, saying he had done a good deal of extra work. My engineer denied that extra work was done; and the Arbitrator to whom was referred the whole question—matter of law as well as fact—taking it out of the Court and placing it in the hands of laymen—never asked any evidence on the point, whether there was extra work done or not. The contractors had an Engineer, one Odell, who measured the work for them, and I said to Mr. Murray. If you give me his measurements I will submit them to the Engineer of the Department; but they refused. They insisted on keeping them themselves on the advice of their counsel, and Odell was examined at length before the Arbitrator, and his evidence taken as conclusive. Mr. Fleming, Mr. Schreiber, and other authorities who could have given evidence as regards any alleged deviation from the original line were never called, and a decision is given upon such proceedings adverse to the Government. The case is first taken out of the hands of the Court improperly, forming a dangerous precedent; then evidence is taken improperly, and the decision is made so binding that there can be no appeal from the award. It is one series of blunders from first to last, which may have the effect, by the evidence of the Engineer-in-Chief, of causing the country to lose \$100,000.

MR. McDONALD (Pictou): The hon. member for Lambton has spoken of the measurements. The claim was for work done caused by a change in the location or in the grade; and Judge Fournier found the difficulty was that, under the contract, they could recover for nothing unless they had the certificate of the Chief Engineer; the Judge, however, held that the letter of my hon. friend (Mr. Mackenzie), admitting in writing that new surveys ought to be made, was a waiver of this objection by the Government. It would be disgraceful to the Judiciary and the public service, if men could fairly and properly go before the people and declare that, after having proved their case in Court, they could get no redress. This is why my hon. friend (Mr. Mackenzie) wrote the letter authorising a re-survey, not of the whole road, but the portion meeting the two points raised by the Judge. He said to Mr. Fleming or Mr. Schreiber: Make a survey, and tell me what the character of

the road is; are these men entitled to anything for the alterations in the grade or in the line of location? That survey was never made; these men came before Judge Fournier, and the Arbitrator, and said: Under the authority granted, we ask that competent engineers verify the survey we have made; we have obtained competent men; they have made the survey admitted to be necessary by the Judge and the hon. the Minister of Public Works, and we challenge an investigation of the survey made by these men, and ask for an opportunity to introduce the proof that the survey is correct. And my hon. friend accepted the challenge, and wrote a letter authorising his engineers to make the survey. If the engineer had obeyed my hon. friend's instructions, and sent competent engineers to the ground, we should not have had this investigation. I am quite satisfied that the moment his Chief Engineer had made the surveys, he would have said: Pay the money, because it is justly due. But my hon. friends opposite did not do their own duty as recognised by the member for Lambton himself. Weeks and months went by, the contractors asserting they possessed proof of the justice of their claims, not being able to get even an attempt on the part of the Government to ascertain whether those claims were well founded or not.

MR. BLAKE: I simply rise to correct a misapprehension into which the Postmaster-General has fallen in this question. He said it was imperative on the Court of Exchequer to refer this matter to the Registrar of the Court; that they had no power to refer it to any other person, and that, consequently, no inference could be drawn from the fact of its reference to the Registrar. If the learned gentleman would refer to the Act of 1876, he would find the clause.

MR. O'CONNOR: Will the hon. gentleman give the meaning of the phrase—"or any other referee."

MR. BLAKE: Yes—or any other will do.

MR. ANGLIN: There are some very important considerations involved in this question. I think by this time that the hon. the Minister of Railways and Canals must have come to the conclusion that the case, as stated on this side of the House, has a second leg to stand on;

whether that is sound or not, it will be for the House to say. It certainly seems now to stand on two good, substantial legs. The charge is that a case submitted to the highest tribunal in the country—created expressly for the trial of just such cases as this, and clothed with all the powers necessary to the determination of the law and the fact—after having reached a certain stage, was withdrawn from the control of the Court, the whole power of deciding upon the merits of the case, finally and conclusively, being placed in the hands of a gentleman, described by the hon. member for Lambton as an engineer dismissed from the Public Service, although it is said on the other side Mr. Keefer is a gentleman of great respectability and high standing in the profession, and of undoubted fitness for the position in which he was so placed. That is a very serious charge to make against the present Administration. But we are told that, after the legal points had been determined by the Judge, it was highly proper, instead of allowing the Registrar to take the evidence, to refer the whole matter to a person competent to understand the evidence and judge of its value, and who was not merely to discharge the duty assigned by the Judge to the Registrar, but in fact to become himself Judge and jury, Engineer and expert Arbitrator, and final disposer of the whole affair. To clothe any man, under those circumstances, with such powers, would have been highly objectionable, but to declare, as the hon. the Minister of Justice has declared, that that was the proper, prudent, wise course, the course which the interests of the Crown and the people required the Government to take, is still more extraordinary. It amounts to this declaration: that the Exchequer Court is improperly constituted, and that we ought, forthwith, to alter its constitution and provide that, in all suits of this importance hereafter, that Court should only determine the legal questions raised, all questions of fact to be submitted to the decision of some such person as Mr. Keefer. This would be very convenient in dealing with the cases of friendly contractors, but the people in this case would have much preferred its being left to the Court. Much has been said of the right of appeal from the award, but there can be no doubt that, if these spe-

cial proceedings were otherwise entirely unobjectionable, no Government could have refused, on merely legal and technical grounds, to pay the amount of any award of Mr. Keefer's—such a refusal would have been regarded as a great injustice to the suppliants. There is an entire misapprehension on the part of some hon. gentlemen opposite of the facts of the case. It has been stated that two of the Ministers who spoke on the question were at one time employed as counsel for the suppliants.

MR. McDONALD (Pictou): It is not said I was employed as counsel. I said that, being engaged in several railway cases in my own Province, before I took office, I was under the impression I was engaged in this one, but afterwards found I was mistaken.

MR. ANGLIN: A most extraordinary statement—that the hon. gentleman did not know, when this question came up, that he was not employed in the case. Yet I entirely accept it.

MR. McDONALD (Pictou): I really do not care whether the hon. gentleman accepts it or not.

MR. ANGLIN: The hon. gentleman may not care what I accept, but he ought to care about what the public accepts. We expect our voices to echo through this country, and, if the hon. gentleman possessed the feeling that ought to actuate members of this House and of the Government, he would care much how the people regard his conduct and that of his colleagues in this important matter. It is alleged that the late Minister of Public Works, by his letter, destroyed the effect of that provision in the contract, which would have excluded the suppliants from making any claim under any circumstances. I do not think anybody would approve of refusing the suppliants all they were justly entitled to. The hon. the Minister of Justice states that, this waiver having been made, they were entitled, under the contract, to any additional expenditure caused by a deviation from the location, or by a change of grade. This is correct, but then the question comes up—was there any change of location or of grade? That was the first point to be determined. How could it be determined? Was it to be determined solely by the evidence of the engineer employed by the suppliants? When the

question came before the Arbitrator, what position did he hold? Was he to hold the balance evenly between the parties in the case, or was he to rely solely on the evidence of the parties in whose favour the judgment was to be given? And yet it seems that the Arbitrator heard little or no evidence on the part of the Government. Why were not Mr. Fleming and Mr. Schreiber examined before the Arbitrator? The hon. the Minister of Railways said it was for the counsel acting on behalf of the Crown to say what witnesses it was necessary to call. But the Ministers thus sought to divest themselves of all responsibility in this case, as far as the evidence submitted was concerned. Should it not have occurred to the hon. the Minister of Railways and Canals that it was due to the public interests that the Chief Engineer should have gone before the Arbitrator, and, by his evidence, helped him to determine whether there was any deviation from the line as originally laid down, or any change of grade. We are told that Judge Fournier settled that point. I think he did not settle it at all. I think, if his judgment is read carefully, it will be seen that this was one of the points to be settled by the evidence to be taken before the Registrar, and that question should not have been settled by the Arbitrator without hearing the evidence of the engineers employed by the Government. Much stress has been laid upon the manner in which some engineers made their progress estimates. As the hon. member for Lambton (Mr. Mackenzie) said, that does not affect the case now under consideration in the slightest degree. The contractors were to be paid a lump sum for building the road according to plan and specification, from a certain point to a certain point, and when the work was properly completed no more money than that specified in the contract could be paid. So far, the public interest was sufficiently guarded. It would appear that the Chief Engineer of Railways is regarded by the hon. the Minister of Justice as the opponent of any contractor who chooses to make an extravagant claim and demands the payment of it. Is that to be the position of the Chief Engineer? If it is, where is the security to the public and what protection have the public, against the rapacious contractors of whom

MR. ANGLIN.

we have heard so much lately? As a public officer, the Chief Engineer is bound to faithfully protect the interests of the public on the one hand, and to do ample justice on the other to all contractors and others under his supervision. I cannot imagine where the difficulty existed in regard to the taking of this evidence. Any man of ordinary intelligence could easily determine from sufficient evidence whether the line or plan had been departed from or not, in regard to the line or the grade. Contradictory evidence no doubt might be given with regard to that question. One engineer might have measured it in one way and another in another, but the rules for making such measurements are by no means so difficult of comprehension that a gentleman fit to be the Registrar of the Supreme Court of this Dominion could not have taken down that evidence intelligently, and that a Judge of the unquestionable ability and acumen of Judge Fournier could not have given a decision in the case. There was no difficulty in the case that any intelligent man could not easily surmount. At all events, the fact that this case was taken away from the Court and put into the hands of Mr. Keefer, to be settled by him on his sole responsibility, was one which has caused, as it ought to have caused, a strong feeling from one end of the Dominion to the other.

Motion agreed to.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Address—Copies of the Orders in Council appointing Instructors to the Indians in the Territories of Canada.—(Mr. Mills.)

Order of the House—Statement showing the number of farm instructors and assistants appointed to teach the Indians agriculture; the amount expended for outfit; amount paid for travelling expenses, and the yearly salary paid or to be paid each person appointed or employed; also the names and former residence of the persons so appointed.—(Mr. Mills.)

Address—Return of a copy of the by-laws of the Northern Railway Company of Canada, imposing, fixing, regulating or allowing the tolls of the said Company passed since the first day of June, A.D. 1879, forwarded by said Company for the approval of His Excellency the Governor-General in Council, and the Orders in Council approving or revising the same.—(Mr. Haggart.)

Order of the House—Statement of the amounts paid into the Superannuation Fund by

each of the Inspectors of Weights and Measures, previous to 1st October, 1879.—(*Mr. Oliver.*)

Order of the House—Return of the names, residences, occupations and salaries, or rate of payment of all officers and employés of the Intercolonial Railway, in the months of September, 1878 and 1879 respectively, excepting the section from Rivière du Loup to Lévis.—(*Mr. Costigan.*)

Address—Return of tenders received for Sections 33 and 34, Welland Canal, showing all extensions of time for depositing security, together with copies of contracts, and all correspondence and Orders in Council connected therewith.—(*Mr. Ross, West Middlesex.*)

Address—Return showing tenders received for construction of works recently let at St. Anne's, on the Ottawa River, showing all extensions of time for receiving deposits of security, copies of contracts and all correspondence and Orders in Council relating thereto.—(*Mr. Ross, West Middlesex.*)

Address—Copies of all Orders in Council affecting the Inland Revenue which have not been printed.—(*Mr. Paterson, South Brant.*)

Order of the House—Copies of the statements furnished from British Columbia of the cases and matters tried before the several Judges of that Province.—(*Mr. Blake.*)

Address—Return showing the names of persons in Manitoba who are squatters on the first Canada Pacific Railway Reserve; all Orders in Council affecting the said occupants, together with copies of all Petitions from such holders of land in the said Reserve.—(*Mr. Ryan, Marquette.*)

House adjourned at  
Thirty-five minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Tuesday, 2nd March, 1880.

The Speaker took the Chair at Three o'clock.

### PRAYERS.

### PRIVILEGE—MR. SPROULE'S SEAT IN THE HOUSE.

#### REMARKS.

MR. SPROULE: Before the Orders of the Day are called, I wish to say a few words with reference to an item that appears in one of the newspapers, and from which may be drawn an unfair inference. It appears in the *Hamilton Evening Times*, of Feb. 17, as follows:—

"Last Session Mr. Sproule, the very windy member for East Grey, occupied a seat right in the midst of the Opposition, and directly behind our old friend, Mr. Rymal. The position was a decidedly uncomfortable one, and Mr. Sproule was generally regarded as a spy. He was frequently given plain hints that he had

better move, but he failed to budge. This Session Mr. Rymal told him (Mr. Sproule) that one of them would have to move, and that one would not be him (Mr. Rymal). The result was that Mr. Sproule effected an exchange of seats, and harmony has been once more restored in the camp."

Now, I have only to say that the inference that might be drawn from this item is entirely misleading. When I came here last Session, I found the seat allotted to me was in the back row on this side of the House, which I did not wish to take if I could better myself. I was informed by one of the messengers that seat 130 was taken and had been occupied by a member now a supporter of the Government, who would not be likely to occupy it this Session. I was advised to accept that seat that Session, as, being in a favourable locality, I could make a favourable exchange with some member of the Opposition. On this account I accepted it, and shortly afterwards intimated to an Opposition member, and one of the whips, that I would like to make an exchange with some member of that party. One offer was made me which I did not feel inclined to accept, it being no more favourable than the first seat. I was unable to make an exchange, therefore, the first Session. Early this Session, I attempted to make an exchange again, thinking that my presence might be embarrassing to Opposition members. I finally succeeded in doing so; but, I was not, as might be inferred from the paragraph, intimidated into this course by the member for South Wentworth (Mr. Rymal). If we bring before the Bar of this House parties guilty of impropriety or breaches of etiquette, and punish them according to the deserts of the crime, why should we allow men, whom we give the privilege of sitting in the gallery of the House, to report its proceedings, to disseminate through the press such trash as I have read, and go unpunished. Any remarks between the hon. member for South Wentworth and myself were courteous and pleasant. If it was through him that this item was published, he must feel compelled to resort to that kind of procedure to strengthen his claims on his constituency, and he must draw on the gullibility of his constituents very largely. If he desires to indicate to them that he is entitled to be dubbed the bruiser of the House, as well as the joker,

or exchange the one for the other capacity, I am willing to allow him the credit of it. But, if he wishes to create the impression that I acted through intimidation by him, I can assure him that, if he undertook such a task he would find on his hands a contract of much larger proportions, more difficult to execute, and less remunerative than some that his party and the late Government indulged in during the last five years.

MR. PLUMB: I am well pleased that my hon. friend from East Grey (Mr. Sproule) has brought this matter before the House. He has made his statement in a very clear, calm and dignified manner. He certainly has been very grossly insulted in the paragraph in question, in an affair in which he has been entirely innocent. The newspaper item quoted shows that we are again to be subjected to the kind of *espionage* we have often complained of, by those who are permitted by the courtesy of the House to sit in the Reporters' Gallery. It is not the first time we have been misrepresented by persons in the Reporters' Gallery. I certainly, for one, have as little care about what is put into the Grit newspapers as anybody who sits in this House. I have been so accustomed to see myself misrepresented and lampooned in those prints, that I have long since ceased to regard it, and, if it pleases the writers, and is in accordance with the policy and good taste of those who control those papers, it makes very little difference to me. But it is perfectly absurd to notice the way in which those intelligent gentlemen who look down upon us catch up trifling things, which they serve out to their readers, doubtlessly because they think to please them by the petty, dirty little gossips which they daily retain; and I do not now speak of the press upon one side, but particularly refer to the character of three or four well known newspapers which have taken the lead and initiative in this mean and dirty work. I do not know whether we are bound to sit here and allow ourselves to be lampooned by those gentlemen. If, however, the House and those members subject to it may like it, I care nothing about it. I was amused the other day when a certain leading newspaper published an article upon my humble self, extolling me very highly. I always sus-

pect I must be doing something wrong when I become the object of even the faint praise of the Opposition press, but, after saying I was very courteous, intelligent, agreeable, etc., out of the House, the article recommended me not to say anything in it, as I was not capable of doing so acceptably, adding, that I flounced out of the House a day or two ago in the debate on Mr. Fleming's resolution in a rage, because my hon. friend who has just spoken took the floor when I wanted to speak. It is not difficult for any member to find a suitable opportunity to speak, and I am sure that nobody in the House would accuse me of ever attempting to displace any other hon. gentleman. I am always willing to wait my turn. On this occasion certainly I had not the slightest idea of taking the floor, but I got up and walked across the House, when my hon. friend rose, in order to meet in the Library somebody who had sent for me, and, not finding him at the moment, I stepped in outside the Bar and listened to the very able remarks of the hon. member (Mr. Sproule). We did not come in to collision at all. But this report, trifling as it is, is the most innocent and truthful kind of information which those ingenious gentlemen, permitted to sit in the Gallery by our courtesy and kindness, sent off for the amusement or instruction of their readers; it is about on a par with the slip-slop dished up by them in the leading Grit papers of this country. The silly *gobe-mouches* who take the rôle of special correspondents here for the leading Grit press are so notorious for the credulous avidity with which they swallow any story, however improbable, about the doings of the Government, that they are constantly made the butts of mischievous and unmerciful wags, who fool them to the top of their bent, and laugh to see their hoaxes duly paraded and greatly commented upon. I think my hon. friend was quite right in saying what we have listened to, and I was surprised to see the temper with which it was received on the other side of the House. He had no desire to hear or see anything private going on among hon. gentlemen opposite, among whom he had his seat, and for this reason wished to change it as soon as he could get a reasonably eligible one in exchange. One of the insinuations thrown out was that the hon. gentleman

wished to sit with the Opposition to hear their counsels. Well, there is nothing very mysterious or valuable in those counsels that he could desire to know, and their projects are plain enough; and it is not necessary to sit among those hon. gentlemen to learn their nature. The hon. member for East Grey got out of the position as soon as he could, and I congratulate him on finding a more comfortable place, where he will not have unpleasant and uncongenial surroundings, and not be subject to gross imputations and unmanly threats.

MR. RYMAL: After the opening of last Session, in the course of a few days, I found that my neighbour from East Grey (Mr. Sproule) was a very prominent member of the opposite party, when I intimated to him, in a joking way, as he says I am a joker, but still with a certain degree of earnestness, notwithstanding, that I thought his place was not very comfortable, as his presence was not very comfortable for us, opposed to his policy. I said that, I think, two or three times during the Session, suggesting that if he approved of it, he could procure a seat among his political friends. As to the newspaper remarks he has read, I knew nothing about them till printed. I can appeal to hon. members of this House, who have known me twenty years to say if it is my practice to play the bully. I wish to have no dispute or misunderstanding with any hon. member. What would have been thought of me if I had persisted in retaining the seat on the Ministerial side which I occupied in days gone by, and against the wishes of members of that party? What would Ministers have thought had I kept my seat behind them in a position to overhear their remarks? I would have been stigmatised as a scoundrel, and the whole power of the House would have been exerted to remove me from that place. I would have taken the most distant seat in the House sooner than rest under the imputation of sitting among my political opponents for the purpose of overhearing their remarks. That notion did not suit the hon. member for East Grey, who was too big a man, too important a personage, to take anything but a prominent seat. He must have a seat among his political opponents, for what cause I leave the House to judge. As to the imputation that I had the article dissemin-

ated throughout my county, to show the people how powerful I was in the House, I scorn it. My constituents know me too well for that course. I tell the hon. gentleman I have not the name of a bully there, but of a fair, manly, outspoken person; and I said to him before exactly what I told him the other day, that I thought one or other of us would have to leave this particular locality, and it should not be me. He took the hint, and succeeded in getting another seat, which he might have had last Session if he had wished. I do not wish to have any dispute with him or submit to any of his sneers either. As to my hon. and poetical friend from Niagara (Mr. Plumb), who talks contemptuously about the society surrounding the hon. member for East Grey—if he refers to me, I may tell him I have as much contempt for him as he has for me. While I am not a Chesterfield in my manners, nor a Beau Brummell in my appearance, I am just as good as the next man as long as I behave myself as well. When anyone can fairly accuse me of improper conduct on the floor of the House, or of any insult towards my fellow members, I shall rest under the imputations of the hon. member for East Grey, but not till then.

#### INSOLVENCY ACTS REPEAL BILL.

[BILL 2.]

(Mr. Colby.)

#### FURTHER CONSIDERED IN COMMITTEE.

Order for the consideration of the said Bill, as amended in Committee of the Whole, read.

Motion made and question proposed:

That the amendments be now read the second time and concurred in.—(Mr. Colby.)

MR. BLAKE moved in amendment:

That the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to add after the word "Companies," in clause 1, the following words:—"and save also in so far as the said Acts apply to any incorporated Trading Company."

MR. McDONALD (Pictou): I entirely recognise the importance of the subject to which the amendment of the hon. gentleman relates, and the desirability of having the incorporated companies referred to, as well as banks and insurance companies, so placed as to enable them to wind up their affairs under a provision similar to that in the Insolvent Act now



before the House. The Government recognise the importance of submitting such a resolution as this to the House, and it would have, perhaps, engaged the intention of the Government or the hon. gentleman who introduced the Bill had not the hon. member for Richmond and Wolfe (Mr. Ives) intimated that he had an amendment similar to the one moved by the hon. member for West Durham (Mr. Blake).

MR. BLAKE: Not on this subject.

MR. McDONALD: He intended it to embrace generally the whole subject, but he informed me that it seemed desirable that he should withdraw the amendment and embrace the whole subject in different Bills, relating to the several subjects. I see the hon. gentleman has introduced a Bill relating to insurance companies, and he assured me he proposed to introduce a Bill also in relation to Banks and Banking. I think it would be more convenient if the hon. member for West Durham (Mr. Blake) would allow that subject to be dealt with separately. It will remove any tendency to confusion, and I can state that I will see that the matter is dealt with in the sense of his amendment.

MR. BLAKE: On that statement I withdraw my amendment.

Amendment (Mr. Blake), with leave of the House, *withdrawn*.

MR. COLBY: I suppose my hon. friend from West Durham (Mr. Blake) will have no objection to have the Bill sent back to the Committee, with instructions to strike out the other amendment, which was added a few evenings ago.

MR. BLAKE: I shall have no objection if the undertaking of the hon. the Minister is also to apply to the class of subjects included in that amendment.

MR. McDONALD (Pietou): That will be dealt with. In the Insolvent Law there are several sections providing for the payment of money into the bank by assignees, and after retaining it for a specified time, and the amount not being called for, its being paid into the Consolidated Fund. I think a provision should be made to compel the rendering of an account from the assignee after the Act is repealed. I therefore move:

That the Bill be recommitted to a Committee of the Whole, for the purpose of making further amendments thereto.

Motion *agreed to*.

MR. McDONALD.

House again *resolved itself into Committee of the Whole*.

(In the Committee.)

Bill, as amended, *ordered to be reported*.  
House *resumed*.

(In the House.)

Bill, as amended, *reported*.

#### CANADIAN OFFICERS SECURITY ACT AMENDMENT BILL. — [BILL 28.]

(Sir Samuel L. Tilley.)

THIRD READING.

House *resolved itself into Committee of the Whole to consider the said Bill*.

(In the Committee.)

SIR JOHN A. MACDONALD: This Bill is for the purpose of providing that all bonds, sureties, etc., instead of being scattered throughout the different Departments, some of which have not sufficient means of protecting them against fire and loss shall be duly attested and recorded at full length in the Department of the Secretary of State, as the proper custodian of such documents, and one who has the means of properly protecting them from fire, etc.

Bill *ordered to be reported*.

House *resumed*.

(In the House.)

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

#### THE LATE ACCIDENT TO THE VICE-REGAL PARTY.

##### ADDRESS TO HIS EXCELLENCY.

House proceeded to the consideration of a Message from the Senate, acquainting this House that their Honours have passed an Address to His Excellency the Governor-General of congratulation on the escape of Her Royal Highness the Princess Louise and of His Excellency, from the serious danger threatened by the untoward accident which happened to them on the evening of Saturday, the 14th of February.

The said Address was read, and it is as follows:—

“To His Excellency the Right Honourable Sir John Douglas Sutherland Campbell, (commonly called the Marquis of Lorne), Knight of the Most Ancient and Most Noble Order of the Thistle, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Governor-General of Canada, and Vice-Admiral of the same, &c., &c.

“MAY IT PLEASE YOUR EXCELLENCY:

“We, Her Majesty's faithful subjects, the Senate of Canada, in Parliament assembled, desire to approach you with our hearty congratu-

tulation; on the escape of Her Royal Highness the Princess Louise and yourself, from the serious danger threatened by the untoward accident which happened on the evening of Saturday, the 14th instant.

"Unwilling to increase the general alarm occasioned by the news of the injuries received by Her Royal Highness, we have forborne to address Your Excellency until, in the Providence of God, we are happily permitted to do so in language of congratulation.

"Her Royal Highness' life and health are dear to the Canadian people, and the intelligence of the danger in which she has been placed, and of her narrow escape, was everywhere received with profound interest and sympathy.

"We but give utterance to the feeling of the country, when we assure Your Excellency of the deep gratitude with which the intelligence of her gradual recovery is day by day received, and we earnestly trust that her Royal Highness may shortly be restored to her wonted health and strength, and will, hereafter, only suffer the memory of the accident to recall to her the universal joy which hails her recovery."

SIR JOHN A. MACDONALD: I rise for the purpose of asking the House to concur in the Address just read, and which has been passed unanimously in the Senate. The Address expresses the feelings of that body, and, I am sure, of this body, in such apt and fitting terms that it is not requisite for me to dwell at any length upon the feelings aroused in the country by the sad accident which happened to His Excellency the Governor-General and Her Royal Highness the Princess Louise, on the evening of the 14th of February last, and the necessity and expediency of expressing our regret at the accident, and our hearty congratulations at the escape of His Excellency the Governor-General and his Royal Consort from the serious danger to which they were exposed. Those who were present here on the evening of that day, assembled for the purpose of paying their respectful duty to His Excellency and Her Royal Highness, will remember the shock given to all present on the receipt of intelligence of the accident, and the serious danger to which his Excellency and Her Royal Highness were exposed. At first it was naturally imagined that they had escaped from an accident of not unfrequent occurrence in this climate at that season of the year; but, next day it was found, to our deep regret—to our horror—that the Vice-Regal party had been exposed to the very greatest danger, and that it was only by God's Providence that the accident had not ended fatally. We were alarmed

by the suddenness and fatal nature of the accident, and had a dread that the serious injuries under which Her Royal Highness had suffered might have had most disastrous consequences. The injury sustained by Her Royal Highness was of the gravest character, and the consequences are not yet altogether removed. I have reason to believe that Her Royal Highness's life was, for a time, in great danger, and the injuries she has sustained were at one time thought to be of a lasting nature. Happily, the imminent danger has passed away; and I hope and believe that the recovery of Her Royal Highness will be complete. While the feeling of regret was general throughout the country, the relief that has been felt by the representatives of the people in both branches of the Legislature at the recovery of the Vice-Regal party has been responded to by the whole Dominion, every part of which will unite with the two bodies in congratulations on the escape of Her Royal Highness the Princess Louise and His Excellency the Governor-General. It is to be hoped that the consequences of the accident will not be serious or of a lasting nature. It would be a matter of great sorrow to us all if Her Royal Highness the Princess Louise, who has already by her demeanour won the hearts of all those with whom she has come in contact, should leave this country with any result from injuries received while our guest in Canada. I trust that this will not be the case, and that, long after the consequences of the accident have passed away, she will, in the words of the Address, have forgotten the injury, and only remember the sincere sympathy of the people of Canada and their congratulations on her recovery. With these remarks, I shall move that this House concur in the Address.

MR. MACKENZIE: I have very great pleasure in seconding the motion which the hon. the First Minister has made, to concur in the Address to His Excellency the Governor-General and Her Royal Highness the Princess Louise. It is most fitting that both Houses should send such an Address to these illustrious personages. This is the first time that a Royal Princess has been sent to act the part that a Governor-General's wife has to act in a Colony, and I am sure she has favourably impressed all with the admir-

able manner in which she has discharged the duties that have devolved upon her in that capacity. It is not the first time that members of the Royal Family have been received in this Colony, and I know personally how much Her Majesty was gratified by their reception; and I have no doubt that Her Majesty, in committing her dear daughter to our care, felt that she might entrust her, with confidence, to the care of a people whose affections would cluster around her and her Royal Mother; and it becomes us as Canadian subjects of Her Majesty, as well as the special guardians of her daughter, to remember the duty cast upon us in that respect. It is only a very short time since Her Majesty lost another daughter by death, and it would have been a very sad thing if this accident should have resulted fatally in Canada to this one. Nothing could better express the feelings of this House than the words of the Address, when it gives utterance to the hope that Her Royal Highness will only have, as the memory of the accident, the sympathy of the people of Canada in her sufferings and the congratulations that surrounded her on her happy escape from injuries which might have fallen with more serious effect on her and her husband. I believe Her Majesty will appreciate the views expressed in the Address. Anything respecting the person of Her Majesty and the members of the Royal Family will always be of deep interest to the people of this country as aiding in maintaining the relations which happily exist between the Colony and Great Britain. And I trust that Her Majesty will believe she did not err in committing her daughter to our care, and that she will find that everything will be done that Canadian affection can do to surround Her Royal Highness the Princess Louise and His Excellency the Governor-General with everything that is calculated to make them happy and comfortable in this country. I beg to second the motion of the hon. gentleman.

MR. LANGEVIN: I trust, Mr. Speaker, that my hon. friend the Prime Minister will not take it ill that I address this hon. House in the language spoken by a million and a half of French Canadians, for the purpose of declaring that they fully concur in the observations which have just fallen from him. French

Canadians have ever been distinguished for their loyalty and for their respect for their Sovereign, and never has that feeling been more frequently expressed than it has been with regard to our Most Gracious Sovereign for whom they feel especial affection. That feeling of affection has, if an increase of it be possible, perceptibly increased since Her Majesty sent to us one of her family, Her Royal Highness the Princess Louise, and, to add strength to our great affection for the Royal Family, we had but to see her, we had but to listen to her voice. And, Sir, I do not exaggerate when I say that, from the moment when it was known that an accident had happened to His Excellency the Governor-General and to Her Royal Highness, there reigned throughout the land mourning, and a dread lest fatal consequences might be the result. But, on the other hand, from the instant that it became known that no evil consequences would follow the accident, and that knowledge was assured by authoritative announcement, rejoicing throughout the country was universal. And I am certain that the Address which has been proposed by the hon. the Prime Minister, and seconded by the leader of the Opposition, will meet with the full approval of the whole people and especially of that portion of it in whose name, with the consent of my French Canadian colleagues in this House, I am now, Sir, addressing you. We should have greatly preferred that Her Royal Highness's stay among us should have been constantly a pleasant one, and free from inconvenience on her part. But we trust that the pain to which she has been recently subjected will be rapidly followed by complete restoration to health, and that the affection which is felt for her in every part of the country will repay her for the suffering she has undergone, and cause her to forget it, leaving behind only a recollection of our loyalty to Her Majesty and of our affectionate feeling toward herself.

MR. CASGRAIN: I listened with pleasure to the hon. the Minister of Public Works when he rose and expressed in the French language the feelings of hon. members on both sides of the House in relation to the serious accident which recently befel Her Royal Highness and His Excellency the Governor-General. I willingly concur in the ex-

pressions which have fallen from the hon. Minister in regard to the lamentable consequences which might have resulted from the accident, and in so doing I feel that I am expressing the views of my French Canadian colleagues on this side of the House. I thank the hon. the Prime Minister for moving, and the leader of the Opposition for seconding this Address, and I entirely concur in the expressions of sympathy uttered by them in the English language.

*Resolved*, That this House do concur in the Address of the Senate to His Excellency the Governor-General of congratulation on the escape of Her Royal Highness the Princess Louise and His Excellency, from the serious danger threatened by the untoward accident which happened to them on the evening of Saturday, the 14th of February, last, by filling up the blank with the words "and Commons."  
—(Sir John A. Macdonald.)

*Ordered*, That a Message be sent to the Senate to acquaint them that this House hath agreed to their said Address,—that they have filled up the blank with the words "and Commons,"—and also that the said Address will be presented to His Excellency the Governor-General, on the part of this House, by such Members of this House as are of the Honourable the Privy Council.—(Sir John A. Macdonald.)

#### CRIMINAL PROCEDURE LAW AMENDMENT BILL.—(BILL 14.)

(Mr. Robertson, Hamilton.)

#### SECOND READING PROPOSED.

Order for second reading read.

Mr. ROBERTSON (Hamilton): In moving the second reading of the Bill, I think I need not take up the time of the House in explaining its object, inasmuch as I have already, in introducing the Bill, explained the purport of it; but, as it may be that some hon. members have not considered the Bill, I will ask the House to indulge me while I make a few further remarks with reference to it. According to the laws of England, a person accused of crime may, after the examination of witnesses by the magistrate, on behalf of the Crown, and after the magistrate has made up his mind that there is sufficient evidence to commit, or to bind the accused over to stand his trial, require the magistrate to call any witness that he may have, take down his evidence, and bind such witness over to give evidence on the part of the accused at the trial, the magistrate being satisfied that the accused, by reason of poverty, is not able to

secure the attendance of such witness at his trial. This law was introduced by Mr. Russell Gurney, for a long time Recorder of London, and it became the law of England in 1867. It was after years of experience as Recorder that Mr. Gurney became satisfied that there was a defect in the administration of the Criminal Law; and through his exertions the defect was removed by the Parliament of England. That law has been found to work beneficially in England, and I submit that there is reason for making it the law of this country, and I therefore propose in this Bill which is now before the House for a second reading, to extend it to this Dominion. The Bill also seeks to amend the 30th section of the Act 32 and 33 Vic., cap. 30, by striking out the words "is absent from Canada," in the seventh and eighth lines. That clause enables the evidence taken on the examination before a magistrate, against a person charged with any crime, to be read at the trial, if the witness is dead, too ill to travel, or has left Canada. It is proposed by this Bill to strike out that part of the clause which refers to the witness being absent from Canada. It has been found that that portion of the clause has operated most unjustly towards persons accused, for parties have been charged with crime, witnesses have given their evidence before a magistrate, and then found it convenient afterwards to leave the country. As a matter of principle, this statutory provision is bad—it is contrary to the first principles of the Criminal Law, namely, that a man has a right to be brought face to face with his accusers, that the Court and jury have the right to see the witness, and hear him give his evidence, so that they can judge of his truthfulness and credibility, not only by the words uttered, but by his manner and demeanour in the witness-box; and, most important of all, that he should be subject to a rigid cross-examination by counsel for the prisoner, or by the prisoner himself. It is well known that nine out of every ten magistrates in this country are but indifferently qualified to take down evidence, and a great deal depends upon that. Then again, the accused is often placed in a position, at the preliminary examination, not to have counsel present, and a proper cross-examination of the witness is therefore not had. Now, if this perpetuation of testimony is an infringement, as

I contend it is, of the law, and it must be in some cases, why should we go further in this country than they go in England? It is just as easy for a witness to leave Great Britain and go to a foreign country as it is for him to leave Canada. I therefore submit, that in this respect we should go back to the law as it was under the Consolidated Statutes of Canada, section 31 of cap. 102, which enacted the law as it is in England. The 4th section of the Bill proposes to add a proviso to the 35th section of the last mentioned Act, which enables the magistrate, if he thinks it in the interest of justice to do so, to clear the room in which a preliminary examination of a person accused of crime is taking place. This proviso is in these words:—

“Provided always that nothing herein contained shall be construed to empower the Justice or Justices to exclude from such room or building any counsel or attorney who is employed by or appears for, or asks permission to appear for or on behalf of the person accused; and the accused person shall as of right be allowed to retain one or more counsel learned in the law, or attorney or attorneys, to be present at such examination, to watch the case on his or her behalf, to cross-examine the witnesses adduced on behalf of the prosecution, and to examine and re-examine the witnesses called on behalf of the accused.”

This I consider a most necessary amendment of the law, as no person should, in this enlightened, intelligent country, be liable to be deprived of the aid and assistance of counsel, at the will and caprice of a magistrate, who may be induced, because of his “little brief authority,” to exercise a power which is now given him by the law. I propose, therefore, to add the proviso set out in the Bill, which gives accused persons the right to have their counsel present on all occasions, not only to examine witnesses for the defence, but to cross-examine the witnesses brought forward against the prisoner, it being still left in the power of the magistrates to clear the room, so far as the general public are concerned. I think it will be conceded that that amendment should be now made and that it should be made clear that every person has a right to have counsel present at the hearing of any charge that is being made against him. Then the next clause proposes to make it quite clear that the Judge on the occasion of the trial shall have the power to exclude witnesses from the Court-room.

MR. ROBERTSON.

It is the practice in England now that either party can request the Judge to require the witnesses to be withdrawn, and the Judge almost invariably does exclude the witnesses if requested; but there is a question as to whether a prisoner has that right, even in England. The request has been refused in this country—when objected to by the Crown Prosecutor—because the Judge has felt that he has not the power to do so, unless by consent. I propose that it should be made the law of the land in this respect; it is the law in civil cases, and I cannot see why it should not be so in criminal cases. The last section of my Bill proposes to amend the law with reference to the right of reply by counsel who are prosecuting persons accused of crime. Sub-section 2 of section 45 of chap. 26, 32 and 33 Vict., regulates the reply of counsel, and under that section there is a proviso that “the right of reply shall be always allowed to the attorney or solicitor or to any Queen’s counsel acting on behalf of the Crown.” I propose to amend the law so as to apply it in Ontario to the County Judges of Criminal Courts. Hon. gentlemen know that we have in Ontario a Criminal Court, for the purpose of trying persons accused of crime, who may elect to be tried by the County Judge, without the intervention of a jury. In that case the Statute, as it now is, does not appear to apply. I propose to amend or extend it in that particular, and to limit the right of reply in all cases to the Attorney or Solicitor-General when he is prosecuting, but not otherwise. I do so because I think it is not a fair thing to persons who are accused, and who give no evidence on their own behalf, and who are disqualified from entering into the witness-box and giving their statement upon oath in reference to the charge made against them. If the Crown was always represented by counsel of experience and judgment, by gentlemen who well understood and appreciated the position which they occupied, as standing between the people and the prisoner, it would be perfectly safe to leave the right of reply in their hands; but, when the fact is that Crown prosecutors are often young members of the Bar, who, it is true, of late years have been appointed to be of Her Majesty’s Counsel, but who seem to think in the prosecution of criminal charges

that their reputation is somewhat compromised if they do not succeed in convicting every prisoner against whom they appear, I think it very desirable that a change should take place. In England the right of reply is not conceded to any one unless the Attorney-General, and in criminal cases he has been refused the right; and there is no reason, in my humble judgment, why it should be extended beyond that in Canada. I therefore propose to repeal the clause of the Act above referred to, and to substitute the following therefor:—

“And upon any trial the addresses to the jury, or, a in case the trial is before the County Judge's Criminal Court in Ontario, to the Court, shall be regulated as follows:—The counsel for the prosecution, in the event of the defendant or his counsel not announcing, at the close of the case for the prosecution, his intention to adduce evidence, shall be allowed to address the jury or Court a second time at the close of such case for the purpose of summing up the evidence; and the accused or his counsel shall then be allowed to open his case, and also to sum up the evidence if any be adduced for the defence, and the right of reply shall be according to the practice of the Courts of England; provided always, that the right of reply shall be always allowed to the Attorney or Solicitor-General in person, but not otherwise.”

MR. CAMERON (South Huron): I think it is much to be regretted that Bills of this character, dealing with the Criminal Law and proposing amendments to the law as it stands, should be left in the hands of private members. I think that where amendments are required to the Criminal Law such amendments should be made on the motion of the Crown, and the responsibility should rest upon the Minister of Justice. I do not know whether the hon. mover of this Bill has the sanction of the hon. the Minister of Justice for the amendments he proposes to make by this Bill. I doubt very much if he has, because I cannot see, from the statements just made by the hon. mover of the Bill, any substantial reason whatever for the proposed changes. Only two or three of the amendments he proposes are at all material. The first of these propositions is to deprive the Crown of the right to use at the trial the depositions of a witness legally and properly taken under the Act before a magistrate in the presence of the prisoner, and after he has had an opportunity through his counsel of cross-examining a witness, when the witness is absent

from the country. In the case of the death of the witness, or where the witness is too ill to attend the Court, he still retains, by this Bill, the right of using the depositions of any witness properly taken under the Statute, and subject to the limitations in the law as it now stands. But, where the witness has left the country, voluntarily or otherwise, or where in the interest of the prisoner he has been spirited out of the country, the hon. gentleman's Bill proposes to deprive the Crown of the right of reading the depositions, and that proposition I entirely object to. The second proposition of the hon. gentleman's Bill deals with the right of reply and desires to prevent the Crown, when represented by counsel other than the Attorney or Solicitor-General, from having the right of a general reply. I am entirely opposed to these proposed amendments. I think neither of them is in the interests of justice, or should become law. As to the first section of the hon. gentleman's Bill, I make no special objection to it, though in this country I do not see the necessity or the utility of the amendments suggested. No practical difficulty has arisen under the law as it stands. The magistrate, as a matter of strict law, has no right to allow witnesses for the defence to be called. His powers are restricted to the enquiry as to whether a *prima facie* case has been made out, and if so, he is bound to commit; but I know that in many cases the magistrate before whom the preliminary investigation is taken allows the right to the prisoner of calling witnesses in his own behalf. I know in practice that this rule prevails, and I am not aware that the exercise of this power has been abused or that injury to the Crown or the accused has resulted. The first clause of the Bill is now word for word a transfer from the Imperial Statute, 21 Vict., chap. 35. But the hon. gentleman must remember that the circumstances of England are very different from those of Canada. England has the first men in the land in the Commission of the Peace, men of property, intelligence, education, in fact trained men. I fear we cannot say that for the magistracy of Canada; so that a system that would work well in England might not suit us at all. The hon. gentleman proposes to have the depositions returned to the Court of trial. What does he mean by that? Does

he mean that the depositions shall be returned by the "Court of trial" to the Judge of Assize or the Clerk of Assize. The mover of the Bill has adopted the English form of expression without at all considering our system of administration. We know that these cases of a grave character are tried before the Judge of Assize. We know that the depositions could not well be returned to him. He is in no way the guardian of such papers, and in no sense their custodian. By our Ontario law, depositions of this kind are returned by the committing Magistrate to the Clerk of the Peace, deposited with such officer, and are obtained from him by the prosecuting counsel when required, and are used at the trial when the circumstances of the case warrant it. It appears to me, therefore, that the first clause of the Bill is inartistically framed, and is open to objection on both the grounds I have suggested. Sub-section 2 of Section No. 6 proposes to abolish the right of reply by the Crown and of this I shall speak hereafter. Now I submit to the hon. the Minister of Justice that the mover of this Bill has made out no case for the interference of Parliament, and that there is no reason in the world why the depositions of witnesses taken at the preliminary investigation before a magistrate, where the witness has left the country subsequently, and before the day fixed for the trial of the prisoner, should not be read at the trial. We know well, at all events those of us who have had any experience in the administration of the Criminal Law, that as a general rule, it is a difficult matter to obtain the conviction of accused parties now, and we should not, by experimental legislation, enhance the difficulties of obtaining convictions. The sympathy of the jury is usually in favour of the accused. We know that in most cases the jury is impanelled from the county in which the prisoner lives, and their sympathy is intensified by that fact. We know that he has an almost unlimited right of challenge, and that the clearest possible testimony must be adduced by the Crown in order to establish the guilt of the prisoner. We know that a different rule prevails in respect to evidence in criminal cases to that in civil cases. In the latter case it is a simple question: in whose favour does the weight of evidence preponderate? and the

verdict is given as the balance preponderates in favour of one side or the other; while in the former case, the testimony must be so clear as to bring the guilt home to the prisoner beyond a reasonable doubt. In addition to this, criminals are generally defended by the ablest counsel at the Bar, and they have, in fact, everything in their favour. Now, if this provision of the hon. gentleman's Bill is adopted, it will have this effect, that where a material witness is called and examined before a magistrate, and gives important testimony against the accused—testimony without which a conviction could not be obtained—if the prisoner happens to be wealthy, or has influential friends, all he has to do in order to deprive the Crown of this evidence is to spirit that witness out of the country before the day of trial, and the Crown is deprived of his evidence, and the prisoner escapes. In fact this Bill is one that, if passed, will aid the escape of prisoners. It should not become law. In my own experience as counsel for the Crown in criminal cases, I know two cases where the witnesses for the Crown were spirited out of the country; the depositions were not taken in strict compliance with the Act, and could not be used, and of course the case had to be traversed until the next term. Now, if this provision of the Bill is carried, in any case where the Crown relies for a conviction on the evidence of a witness who has been examined before a magistrate, all the prisoner will have to do is to spirit the witness out of the country before the day of trial, and of course the prisoner escapes. I ask the hon. the Minister of Justice if it is desirable that facilities should be afforded criminals to escape the consequences of their crimes. There does not appear to me to be any reason advanced why that clause in our Statute, 32 and 33 Vict., proposed to be amended by this Bill, should be struck out; no more reason than to prevent the Crown from using the depositions of a man who has died after his examination and before the trial, and not so much reason for striking out that clause as there is for striking out the clause allowing the use of the deposition of a witness who is too ill to attend the trial. The hon. mover of the Bill might have introduced a provision such as there is in the English

Act, enabling the prisoner or the Crown to examine a witness too ill to attend Court either before or pending the trial. If you can use the deposition of a sick witness examined before a magistrate, there is no reason why you should exclude or deprive the Crown of the right of using the deposition of a witness who, perhaps, through the instrumentality of the prisoner, has been spirited out of the country before the trial. I hope that the hon. the Minister of Justice will take care that that provision does not become law. The next provision to which I object is that which deprives the Crown of the right to reply. In civil cases, the general rule is that, if the defendant calls no witnesses, the defendant's counsel has the right to reply; but, whether the defendant calls witnesses or not, the Crown has the right to reply when represented by the Attorney or Solicitor-General or any Queen's Counsel. That right the hon. gentleman proposes to abolish, but I do not think that provision should be changed unless for good and substantial reasons. In my opinion it is impossible to show a case in which real injury has been done to the prisoner on account of the Crown's right to reply; and I think we ought not to amend the Criminal Law in that direction, unless there is serious objection to the present practice, unless a grievance of some serious character has arisen on this point in the administration of Criminal Law. I submit that not a single case has arisen to justify the hon. the Minister of Justice in lending the sanction of his authority to an alteration of that kind. In England, although there is no legislation on the subject, a doubt exists as to whether the Crown has the right to reply in any case where it is prosecutor and is not represented by the Attorney-General. In two cases, at all events, the criminal prosecutor, who was not the Attorney-General, was refused the right to reply because the right is said to be only vested in the Attorney-General. It is a moot point, however, whether the Crown has the right to reply unless represented by the Attorney-General or not, but the question has been put beyond peradventure in this country by the Statute. That Statute gives the right to reply to the Crown in certain cases. No reason has been assigned for the abolition of that right, and it seems to me that if any exists the

argument is a great deal more in favour of abolishing the right of the Attorney-General to reply. The hon. mover of this Bill claims that the prosecutors for the Crown are not actuated by the same motives as the Attorney-General; that his object would simply be to stand between the Crown and the people, and see that right and justice was done, and not to press unnecessarily the case against the criminal, but to state the facts fairly to the jury. I do not think the hon. gentleman can point out in his own practice any case in which a Crown counsel has not taken that course. If any such officer has done so, he ought not to be Crown Prosecutor any longer. It is no part of his duty to press unnecessarily the charge against the prisoner. It is as much his duty to endeavour to establish the innocence of the innocent as to bring home guilt to the guilty. The observations that I made with respect to the right of the Crown to use the deposition of a witness who has gone out of the country, voluntarily or otherwise, will apply equally well to the right of the Crown to reply. It is well known to the practitioners in Criminal Courts, that the chances are all in favour of the prisoner, and that for one innocent man convicted nine hundred and ninety-nine guilty men escape. As a general thing, the prisoner is tried by his peers, and he has the advantage of every technicality of the law that is open to him. He has the advantage of being zealously defended by the ablest men of the Bar. He has the right of challenge, and he almost always has the sympathy of the people. If you do not give the right of reply to the Crown, the case goes to the jury on the statement of the prisoner's counsel; and, after the usually able and impassioned appeals that are made to juries by prisoner's counsel on behalf of their client, it is only fair that the Crown should have a chance of calmly, deliberately, fairly and honestly stating the facts and of analysing the testimony submitted to the jury—that the Crown should have the opportunity of shortly and simply answering the argument made by the prisoner's counsel. I, therefore, see no reason for the amendment the hon. mover of the Bill has introduced. If any change is made, I should say it should be that the Attorney-General should not



have the right to reply. The hon. gentleman objects to the right of a Queen's Counsel to reply, because his position and abilities might unfairly influence the jury against the prisoner; but, if there is anything in that view of the case, it applies with greater force against the right reserved by the Bill to the Attorney-General. It is quite natural that the appearance of a man of the abilities and standing of the Attorney-General, appearing in the conduct of a case, would have more weight with the jury than the efforts of any ordinary counsel practising at the Bar; and it might be argued that it would unfairly prejudice the mind of the jury. As applied to Queen's Counsel, the argument has no force whatever. The hon. gentleman bases his proposition to abolish the right of Crown Counsel to reply on another ground and I must say an extraordinary one. The hon. gentleman wants to settle the constitutional question that has arisen respecting the right to appoint Queen's Counsel by this Bill. That, however, is no reason for the change proposed, and I think the hon. gentleman would fail in accomplishing his object even if the Bill did pass. The difference of opinion that does exist among the Judges and members of the Bar, as to the appointing of Queen's Counsel, should not be made the foundation for the repeal of a useful clause in the Criminal Law. If any difference of opinion exists as to the right of the Government of Ontario to appoint Queen's Counsel, it is not desirable that that right should be settled through the instrumentality of the Criminal Law, but in some more open and satisfactory way. The Bill appears to me to be a retrograde step, a step in the wrong direction, and not in the interests of justice. I have no objection to one or two provisions of the Bill, but in my judgment the unobjectionable clauses are useless, and will serve no good purpose, and changes in the law should not be made unless to right some wrong, or unless it can be shown to be in the interests of justice. Upon the whole, I submit that the two provisions to which I have directed the attention of the House should, in no case, be repealed, and that the mover of the Bill has made out no case on any interference with the law as it stands, and that his Bill should not become law.

MR. CAMERON.

MR. SHAW: I think there are several objections to the Bill that have not been referred to. If we commit ourselves to the principle of taking evidence for the defence, the administration of justice in criminal cases will become much more expensive. The first section makes provision for the taking of depositions that may be favourable to the prisoner or the party accused. If that were done, the magistrate who has taken the deposition will be placed somewhat in the position of a Judge, and it is questionable if magistrates, selected as they are throughout the Dominion, ought to be placed in that position—whether it would be of advantage to the public and to the proper administration of justice that they should possess the power indicated by that section. In my opinion, there is considerable objection to this section of the Bill. In remote sections of the country, I can see that a large amount of expense would be imposed on the Crown in obtaining the attendance of witnesses. In fact, an accused party would take good care that the evidence which he intended to use on his trial was given before the magistrates, so that afterwards his witnesses might be produced at the expense of the Crown. We ought to be careful in adopting a principle of a character that would be followed by such results, and these results would necessarily follow the adoption of this Bill. With our scattered population, and the great distances which witnesses have to travel in order to attend Court, I think the expenses of criminal trials would be vastly increased. I can scarcely see that the fifth clause, regarding the exclusion of witnesses from Court in cases of felony and misdemeanor, is necessary, because, if it is, I do not understand why it should not be extended to other criminal charges. There may be some question in regard to the amendment proposed by the sixth section, with respect to reserving the right of reply only to the Attorney or Solicitor-General in person. Difficulties appear to have arisen in several Courts on this question, and I have no doubt that the proviso introduced by the hon. member for Hamilton has the object in view of settling those differences. I would suggest that it might be, perhaps, in the interest of justice, if that section were preserved. I agree with the hon. member for South Huron (Mr.

Cameron) that in the case of parties having left the country it would be important that their depositions should be made evidence in Court. Persons might leave the country and prevent a conviction, and return shortly after the sittings of the Court. I think the section of the Act sought to be amended should remain on the Statute-book, since the amendment is convenient for persons wishing to remove to the United States. Until some case arises in which evil has resulted from that section it ought to be preserved. It no doubt was placed there with the object of preserving evidence in case the witness absented himself from the country, and it is in the public interest it should remain.

Mr. McDONALD (Pictou): I am sorry that I cannot agree with my hon. friend from Hamilton (Mr. Robertson) in the view he takes on the desirability of the amendment proposed to the House. I listened with great attention to the observations the hon. member made in moving the second reading of the Bill, but I fail to see the pressing necessity for its adoption. It is not proposed to object to read the Bill a second time, should my hon. friend desire to press it, as there may be one or two points the House may desire to consider in Committee; and therefore if, after the few observations I have to make, the hon. gentleman should think it necessary or advisable that his Bill should go as far as the Committee, I would be sorry to ask the House to refuse to attend to that request. The hon. member for South Huron (Mr. Cameron) made an observation which I cannot assent to in its entirety—that a private member should not propose an amendment to the Criminal Law, but that such should come from the hon. the Minister of Justice. To some extent that view is reasonable; but that rule could not be insisted upon under all circumstances. Because every member has a right to propose to the House and country any amendment of any law which he judges would be beneficial to the country. I am sorry I cannot concur with the hon. member for Hamilton (Mr. Robertson) that his amendment is desirable. It is true the Bill is merely a transcript of an English Statute, but it is not necessarily a recommendation of a law that it has worked well in England, or that we should adopt it on that account. So far as my

own experience goes, and that of my hon. friends in the House, no injury or inconvenience whatever has arisen in this country under the present law. I can fancy very many inconveniences arising from the amendment proposed by my hon. friend from Hamilton. The law at present contemplates that a man accused of a crime should appear before a magistrate, and should not be committed for trial or suffer further imprisonment unless the Crown be able to establish against him a *prima facie* case. I concur with the hon. member for South Huron that in most cases, if not always, the accused obtains the benefit of any doubt arising under the testimony; and therefore, as a rule, we may be sure that, in the early stages at any rate, an accused party is not likely to be committed unless the evidence be of such a character as to make it almost compulsory upon the conscience of the magistrate to put him on his trial. Therefore it appears to me that the present system meets in every way all the requirements of justice, and affords every aid and protection to a person charged with crime. It is not the policy of the law that the magistrate should try the question of guilt or innocence. Such would be an infringement of the authority of the higher Courts. It is because the proposed amendment of my hon. friend the member for Hamilton goes to a certain extent in that direction that I think its adoption undesirable; it is undesirable even in the interest of the party on his trial. The duty proposed to be laid upon the magistrate is somewhat arduous; he has not only to take the evidence of the witnesses in a way to bring home to his mind a conviction of the probable guilt of the accused, but go further, and at the request of the prisoner to admit his witnesses, take down their evidence, cross-examine them on the part of the Crown, in order that the accused may have the benefit of their evidence on his trial—in other words, it is asking the Crown to provide at the expense of the country all the testimony the accused may think he requires on his trial. I do not think that is desirable, nor do I see that the amendment proposed would give any additional protection whatever to the accused. In Crown cases, the Crown is properly expected to produce its own witnesses; but I do not see how, on any principle of justice, the Crown should produce witnesses on the part of

the defence. With reference to some of the other amendments—I entirely agree with the hon. member for South Huron, touching that in the third clause, with regard to the reading of depositions. In this country, as that hon. gentleman has observed, situated as we are, if a party was either himself desirous of escaping the responsibility of giving testimony, or was a man who could be tampered with, the facility for such a process is so great that I think it very desirable that, where the testimony of such a person is taken, if he should leave the country either through accident or design, and be absent at the time of trial, the deposition should be read. I do not think the last clause of very much importance, whether the reply be left with a Queen's Counsel or not. There is no reason why it should not be. The distinction of a silk gown is generally supposed to be conferred on members of the profession, who have distinguished themselves as men of superior ability and learning; and therefore, as a matter of professional etiquette as well as a matter of special interest, I would prefer the right should remain. But my learned friend from Hamilton gives another reason for doing away with that precedence which would rather incline me to retain it—he says there is a difficulty about the Queen's Counsel in Ontario. It appears to me this presents an admirable opportunity for the solution of that difficulty. If the recent judgments of the highest Court of the land have left any doubts as to the status of Queen's Counsel, the question can be settled at once by a simple proceeding before the Courts of Ontario on a question which can easily be raised at the first Criminal Term where a Queen's Counsel is engaged. I do not see that the amendment could be of any service whatever in the matter; I do not know that it would do any harm either. I can easily conceive the provision in the first clause having a result not at all desirable, and therefore I hope that my learned friend, if he finds the opinion of the profession in the House adverse to his views, will reconsider the advisability of pushing his Bill any further.

**MR. MOUSSEAU:** I congratulate the Government upon having, through the Minister of Justice, opposed the Bill sub-

mitted for our consideration. The measure is simply one calculated to effect a revolution in some of the essential parts of our criminal legislation. In the first place, I object to the first section. It is there proposed that, at the preliminary examination before one or two Justices of the Peace, who often in country parts barely know how to read, and do not comprehend a single word of Criminal Law, witnesses should be called, not only to prove what they know of the facts, but also to prove the innocence and to testify to the good character of the person accused. Now the theory, the doctrine which is the basis of the Criminal Law, springs from sacred principles. It is the place of the Sovereign authority, the Queen, to protect the property, the person, and the life of the subject. It is understood that in order to watch over these precious rights there is, first of all, the right of preliminary enquiry, either before a Justice of the Peace in a county, or a Police Magistrate in a city. The complaint may be made by one witness. In cases of felony, no confirmation is necessary; in the case of forgery or perjury, confirmation is necessary. The law requires that, in the first case, there shall be at least one witness, and that in the other case there shall be more. What is required is purely and simply a preliminary examination before a Justice of the Peace or before a Police Magistrate; and then, if the prisoner appears to have broken the law of the land, in respect of either the person or property of Her Majesty's subjects, and if the evidence is sufficiently strong against him, *prima facie*, to send him for trial to another and higher tribunal, where he will be tried before his peers, he is imprisoned or admitted to bail. He will then be brought before the grand jury, and subsequently before a petit jury if a true Bill be found. Now, if the section in question were in force, we would have two full trials; the first would be an investigation before the magistrate, a preliminary examination at which the accused would undergo his trial as before a petit jury; there is the strange anomaly, the monstrous anomaly, of an individual who has been fully tried before a Police Magistrate in a city, and who has subsequently to go before the grand jury. It appears to me that the first re-

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sult of the Bill of the hon. member for Hamilton (Mr. Robertson) will be to abolish both the grand and petit jury. In fact that first section implies that there should be but one trial, and that that should take place before a magistrate. Another most important objection to this section is that, at the preliminary examination, an accused person, who has but the slightest grounds of defence, may easily escape. Complaint is made that only the witnesses for the prosecution are called to appear at the preliminary examination to support the complaint and information against the person accused. That is true, but the accused person still has a good means of protection. There is a most wise rule, a sacred principle of Criminal Law, which provides that, if the evidence on behalf of the Crown reveals new facts, or facts that show the examining magistrate that persons other than those who have given evidence might be called to throw light on the case, the magistrate himself, of his own accord, or at the instance of the advocate for the defence, may call those witnesses. In this country, as in England, we have a certain guarantee and perfect security that no injustice will be done us before the Police Magistrate in a city or before a Justice of the Peace in the country parts. There recently appeared in the leading London papers some correspondence on this subject, tending to show that in England—it may be added in this country—preliminary examinations before Police Magistrates in cities, or before Justices of the Peace in the country, are really actual trials. It is well known that the accused person can always command the assistance of an advocate, if he has the means of paying him, to defend him at these preliminary examinations. Now that advocate cross-examines the witnesses to the best of his ability to prove the innocence of his client, or to unearth extenuating circumstances, or it may be to extract from the witnesses for the Crown the names of other witnesses who might depose to facts in favour of the person accused or in mitigation of his offence. It was stated in England that these proceedings before the magistrate at the preliminary examinations have now become actual trials, which are almost as important and are carried on almost as much for and against as trials before petit

jurors. I therefore consider that this first section is perfectly useless, and not only useless, but that it tends to an upsetting of the Criminal Law, and that ultimately it will lay an enormous burden upon the people by allowing the defence to call, not once only, but twice, witnesses who are generally paid by the Crown. For let it not be imagined that before a petit jury the defendant is without resources and without means. It is sufficient for the accused to make oath, supported by one or two other persons, to the effect that he has not the means of summoning his witnesses and paying them, and thereupon the Crown meets his wishes. It very frequently happens that those witnesses, if summoned, are paid by the Crown at the public cost. Thus, from every point of view, this first section is perfectly useless. The third section reads as follows:—

“The thirtieth section of the said Act of the third-second and thirty-third Victoria, chapter thirty, is hereby amended by striking out the words ‘or is absent from Canada’ in the seventh and eighth lines thereof.”

I really cannot see the object of the mover of the Bill in wishing to strike out the words “or is absent from Canada.” Section 30, cap. 30, 32 and 33 Vic., is as follows:—

“The Justice or Justices shall, before any witness is examined, administer to such witness the usual oath or affirmation, which such Justice or Justices are empowered to do; and upon the trial of the person accused, it be proved upon the oath or affirmation of any credible witness, that any person whose deposition has been taken as aforesaid, is dead, or is so ill as not to be able to travel, or is absent from Canada, and if it be also proved that such deposition was taken in presence of the person accused, and that he, his counsel or attorney, had a full opportunity of cross-examining the witness, then if the deposition purports to be signed by the Justice by or before whom the same purports to have been taken, it shall be read as evidence in such prosecution without further proof thereof, unless it be proved that such deposition was not in fact signed by the Justice purporting to have signed the same.”

This provision is borrowed from the English Criminal Law, and has the effect of preventing the defendant from occasionally sending the Crown witnesses on a journey to the four principal points of the compass, to the end that they may not be produced at the trial. This has

happened in my own practice, when entrusted with the conducting of the Crown business in the judicial district of Montreal; it was a serious case, involving a charge of perjury, and the defendant, who had means, sent the principal witness for the Crown on a trip to the United States. Fortunately, his deposition had been previously taken, and he had been regularly cross-examined before a Police Magistrate, who testified to it; so that the spiriting away of that principal witness did not prevent the Crown from obtaining a conviction of perjury against the prisoner. Now, if the House should adopt this section, striking out the words "or is absent from Canada," the result will be to interfere with trials before petit juries, and the reading of the depositions of witnesses for the Crown summoned to appear against the prisoner, and whom he may have sent on a trip to the United States. Thus we have a graver and more important reason for rejecting this section of the Bill, which, in the manner I have pointed out, will prove prejudicial to the most sacred interests of society. With reference to the fourth section, I have not had time to examine it in all its bearings. I am really not aware that there exists in this country any law which prevents a defendant from being represented by an attorney. I know that in England, as in this country, persons accused, let the case be what it may, let the accusation be what it may, have always a right at the preliminary examination to be assisted by counsel. The thirtieth section, which I have just read, in reality corroborates this provision of the Criminal Law, because it says that a deposition which is read at the trial before the petit jury shall be evidence if the accused or his attorney has had an opportunity of cross-examining the witness. We have therefore in our Canadian legislation a recognition of the absolute right which the accused has of being represented at the preliminary examination. This fourth section is therefore perfectly useless. As to the provisions of the fifth section, it is already admitted in certain civil cases, in which the presence of a witness during the examination of other witnesses may entitle the opposite party to prevent that witness from giving evidence. But in criminal cases the principle requires that, at the instance of either party, all the

witnesses must retire. And this is in accordance with law. I now come to the last section of the Bill of my hon. friend, which reads as follows:—

"Sub-section two of section forty-five of chapter twenty-nine, of thirty-second and thirty-third Victoria is hereby repealed, and the following substituted therefor:—

"2. And upon any trial the addresses to the jury, or in case the trial is before the County Judge's Criminal Court in Ontario, to the Court, shall be regulated as follows: The counsel for the prosecution, in the event of the defendant or his counsel not announcing, at the close of the case for the prosecution, his intention to adduce evidence, shall be allowed to address the jury or Court a second time at the close of such case for the purpose of summing up the evidence; and the accused or his counsel shall then be allowed to open his case, and also to sum up the evidence, if any be adduced, for the defence, and the right of reply shall be according to the practice of the Courts of England; Provided always, that the right of reply shall be always allowed to the Attorney or Solicitor-General in person, but not otherwise."

I hardly like to say it, but is not this a subterfuge to prevent the Crown from having the last word? For it is not necessary to say that the Attorney or Solicitor-General in person only shall have the right of reply; for it is well known that generally in this country, as in England, those gentlemen have seldom, if ever, an opportunity of conducting the business of the Crown in Criminal Courts. Therefore, I am opposed to the Bill, and request my hon. friend to withdraw it; otherwise, I will be obliged to move the six months' hoist. In my opinion, the Bill trenches upon all the most sacred and fundamental principles of English Criminal Law. It is subversive of our legislation, and introduces provisions which are contrary to the spirit and to the admirable principles of English Criminal Law, which have gained for it so great renown throughout the world. In a word, the Bill introduces provisions which are most dangerous to society, such as that which I have just pointed out in section three, by which the Crown is prevented from obtaining the evidence of witnesses whom a rich defendant may have bought up and sent to foreign parts. I therefore move that the Bill be read a second time this day six months.

Motion made and question proposed.

That the said Bill be not now read the second time, but that it be read the second time this day six months.—(Mr. Mousseau.)

MR. MCCARTHY moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

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

### After Recess.

#### TIMBER TRANSMISSION COMPANIES ACT AMENDMENT BILL. — [BILL 48.]

(Mr. White, North Renfrew.)

##### FIRST READING.

House resolved itself into Committee of the Whole to consider a certain proposed resolution to alter the proportional tariff of tolls, fixed by Section 59 of Chapter 68 of the Consolidated Statutes of the late Province of Canada.—[Vide p. 313.]

(In the Committee.)

MR. WHITE (North Renfrew): I have been actuated by a desire to make the proportion of tolls for the particular articles referred to in the resolution, bear a more equitable ratio than they do under the Act as it stands at present on the Statute-book. My own idea is embodied in the resolution before you, but, after consultation with parties interested, I have to propose amendments to the tariff which have been agreed upon, and will meet the views of those interested.

MR. MACKENZIE: But who are interested?

MR. WHITE: Those who are interested in the Bill are, 1st, those who are proprietors in joint stock companies of such works as are referred to in the resolution; and, 2nd, those who are interested in the passage of timber through these works.

MR. MACKENZIE: Was there any notice given of intention to apply for this. Are the public aware of it, except through our Minutes?

MR. WHITE: I believe not; it is a Public Bill, and I think the hon. gentleman does not understand the motion I am making. This does not refer to any company organised under a special Act; it refers to the Joint Stock Companies Act generally. It does not refer to any particular association of individuals except that it will affect generally such as may have associated themselves under the Joint Stock Companies Act.

MR. MACKENZIE: Oh, yes, I see. How does the present tariff compare with that proposed?

MR. WHITE: The companies incorporated under special Acts submit their own tariff to the Governor in Council for revision and adjustment, and there is a great discrepancy in the tariff of tolls enforced by the Upper and Lower Ottawa Boom Companies on timber as compared with saw-logs, and the reply that these companies make in answer to objections to the existing tariff is that they are unable to alter it, because the Governor refuses to agree to any tariff except one based on the provisions laid down in the Joint Stock Companies Act, although they see the injustice of the present tariff. Negotiations have been entered into with a view to agreeing upon a tariff more equitable than the one laid down by the Joint Stock Companies Act, and the different Boom Companies have agreed upon a tariff, which I propose to substitute for the tariff referred to in the resolution.

Resolution ordered to be reported.

House resumed.

(In the House.)

Resolution reported, read the second time, and agreed to.

MR. WHITE (North Renfrew) introduced a Bill (No. 48) To amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams.

Bill read the first time.

#### STRATFORD POST-OFFICE.

##### MOTION FOR PAPERS.

MR. HESSON moved for an Address for copies of all correspondence and papers between the Government and the corporation of the town of Stratford, respecting the proposal of said corporation to donate a site for the purpose of erecting a post-office thereon. He said: In connection with this matter I desire to say that a proposition has been made by the Council of the town of Stratford to the Government to donate a site, worth something like \$6,000, for a post-office. A plot very desirably situated is generously offered to the Government for the purpose. I need not say how much such a public building is required in the town of Stratford. I have had my attention called to the erection of post-offices and Custom-houses in different towns in Ontario, and in looking over them I find that the late Government adopted a system, which I

am not disposed to condemn but rather to approve, that of erecting post-offices in large towns and cities. I think this course is in the interest of the country. I have looked over the Post Office and Customs revenue returns for Guelph and Windsor, and find that these two places, to which such large grants were made by the late Government for public buildings, do not stand in a better position with regard to these revenues than Stratford. I shall have to draw the attention of the Government to the fact that the city of Guelph does not give a larger revenue than Stratford. It produces \$45,526.85 nett, including Post Office and Customs revenue for the past year, according to the Public Accounts; the late Government erected a post-office in that city at a cost of \$13,900, including the cost of land—\$4,000. Now, if the revenues of towns are to be taken into consideration in matters of this kind, then I submit that the town of Stratford is well entitled to be taken into consideration. The town of Windsor has also had a post-office erected under the late Government. Now, the nett revenue of that town is only \$40,425.52. The city of Belleville, I am told, has also a claim for a post-office and Customhouse. Well, I find that their revenue for Post Office and Customs is \$50,137.01 for the past year, whilst the town of Stratford, for which I prefer this claim, although not so widely known, perhaps, as these older places, has, nevertheless, made rapid advances during the last few years, and I find it provided a revenue of \$47,815.74. Now the arrangements in Stratford, with respect to Customs and Post Office, are very inadequate. The amount granted by the Government for rent of a post-office is the insignificant sum of \$240 (and this includes light and fuel). This sum cannot secure respectable accommodation for Her Majesty's post-office, in a large and prosperous town, when a decent store rents for \$600 per year. Its revenue exceeds that of either Windsor or Guelph, one a town, and the other a city, being \$2,278.69 in excess of the city of Guelph, and \$7,390.22 in excess of Windsor. I am dealing with the nett revenue. I might also point to the city of St. Catharines, with a revenue of \$52,076.37, where, I am told, the Government intend to erect similar buildings; also the town of

St. Thomas, with its revenue of \$33,586.54, and other thriving towns of Canada, where, no doubt, it is the intention of the Government to erect such buildings; but I have yet to learn that any other town or city has made such a grant as that now proposed to be made by the corporation of Stratford, as a site worth, I repeat, \$6,000. The land offered is surrounded by streets on all sides, and is now used as a public park, in the centre of the town, and altogether most conveniently situated for the erection of Government buildings. I have no fault to find with the commencement of this noble work by the late Administration, only that they should have begun these erections in Stratford in advance of Guelph or Windsor. If the Government omit to accept this proposition now, they may find themselves obliged to pay a large sum for a site in future; but I have reason to hope and believe that they will continue the policy of erecting buildings in the large towns and cities for the accommodation of the public. I may draw the attention of the Government to another fact: that in Guelph it costs 13 per cent. to collect their revenue, in Windsor 25 per cent., and Stratford only 10 per cent., I presume because the officials there are paid a starving salary. I could give other points on this subject, but I do not desire to occupy the time of the House. I am aware that other communities have made similar demands on the Government, but I would remind them, if they wish to succeed, that they should make as liberal a grant as the corporation of Stratford has proposed to make.

MR. ARKELL: If the Government takes into consideration the claim of Stratford, I trust they will also pay attention to the requirements of another town in the West, which is a great railway centre, St. Thomas. I doubt whether the authorities there would give anything towards the erection of a building, but I think it will be recognised before long that a building should be erected. We only ask, however, that the Government should have a sufficient amount of funds in the Treasury before commencing such work, and I have no doubt that under the National Policy it will not be long before that result is reached. When that time does arrive, I think all towns, like St.

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Thomas and Stratford, will be attended to in respect to public buildings.

MR. FARROW: I am glad that the hon. member for North Perth (Mr. Hesson) has brought this question before the House. I have looked carefully over the reports, and I find several subjects worthy of being brought before the notice of the House. I should have no objections to a new post-office building being erected in Stratford, but in our part of the country some of the people have such good salaries that they are enabled to erect such buildings at their own expense, in which to keep the post office. I would advise Stratford and St. Thomas to do likewise until the Government can get a sufficient quantity of money on hand to undertake such works. I find that there is something wrong about paying the officials connected with the post-office in Ontario. In a little incorporated village in Huron County, called Plym, the revenue is \$1,120 a year, and the postmaster is only paid \$180. At Bobcaygeon, the revenue is \$1,090, and the postmaster is paid \$404, besides forty-eight dollars for forwarding, and forty dollars for rent, light and fuel; now why this great difference? It is wrong. Take the post-office of Moore, the revenue is only \$281, and the postmaster is paid \$192, while Moorefield post-office yields a revenue of \$600 a year, and the postmaster is paid the sum of \$136. The Wroxeter post-office yields a revenue of \$691, and the postmaster gets \$282, besides fifty dollars for forwarding. Gorrie post-office yields a revenue of \$450, and the postmaster gets only \$118. Were he paid in proportion to Wroxeter, his salary ought to be over \$200. It is a good study to go over the Postmaster-General's Report, for it is full of such inequalities of payment such as mentioned. I am sorry to notice that the revenue of the Post Office does not come up to the expenditure. But where is the loss? Our friends from the Lower Provinces claim that they have not got their rights. The Prince Edward Islanders want a part of the Fishery Award; the Nova Scotians want an extra subsidy; and the New Brunswickers want better terms. Now let us look at the Post Office Returns, compared with Ontario. The postal revenue of Ontario, compared with its expenditure, is 90 per cent.; it only jacks 10 per cent. of paying its way.

Quebec lacks 40 per cent.; Nova Scotia lacks 46 per cent.; New Brunswick lacks 47 per cent., and Prince Edward Island lacks 59 per cent. Then we come to this "great sea of mountains," as it is called, British Columbia, and we find that it only figures at 26, lacking 74 per cent. of paying expenses. Our new territory, the North-West, makes a better showing, its Post Office revenue being 60 per cent. Another complaint that I wish to make is, that the Ontario postmasters are not paid equal to those of Quebec or the Lower Provinces. I think if the salaries in these Provinces were clipped down on a par with the Ontario salaries, in a few years the revenue would be brought more on a level with the expenditure. I would also suggest another improvement. We now pay two cents for registering letters. What is the use of that? It is simply throwing money away. If a registered letter is lost the postmaster tries to hunt it up. Some scoundrel may have stolen the money, and he is sent to jail; but what good is that to the poor man who lost the money? I think the registration fee should be regulated according to the amount of money placed in the letter, and the Government responsible for the money sent. It might be as well to charge two cents for a letter containing ten dollars; four cents for one containing twenty-five dollars, and so on in proportion up to \$100. One year's experience on such a plan would not only augment the revenue, but would be of great benefit to the public. Then there is another matter to which I wish to call attention. The Post Office now performs a very good service by carrying small parcels. Would it not be well for the Department to undertake the express business of the country. The express companies charge enormously, and are making thousands and tens of thousands of dollars. As the Post Office now carries small parcels, I do not see why it should not undertake the whole business and so swell the revenue.

MR. FITZSIMMONS: It is very true that the late Government built a great many public buildings, and I think that they took a step in the right direction. I wish to call attention to the requirements of Brockville. I find that the Post Office and Customs receipts in that town



amounted to \$59,109.33, leaving a balance of \$52,242 in favour of the Departments, exceeding Belleville by \$2,105; Stratford by \$4,426; Guelph, \$6,715; Chatham, \$28,022; and the town of St. Thomas by \$8,656. Under those considerations, I think the town of Brockville is entitled to some consideration. The receipts from Inland Revenue for the year ending June 30, 1878, was \$14,597.42; for the year ending June 30, 1879, \$15,627.95; and for the half year ending December 31, 1879, \$9,796. This shows a considerable increase each year, and there is no doubt, from all the indications, that there will be a more rapid increase in future. I would suggest that Brockville be separated from the Prescott division for Excise purposes, and placed, as it formerly was, in the Leeds division. That would include Gananoque, which is in the same county, as an outpost. For the division the collections would then amount to nearly \$25,000, which would be considerably larger than the collections of several of the revenue divisions in Ontario. Brockville frequently suffers inconveniences by being an outpost. For instance, when goods come in bond, the removal papers are invariably sent to Prescott, and the goods cannot be obtained until the papers are returned from that place, sometimes causing great detriment to business. All the entries for warehouse and ex-warehouse, and all returns, have to be made in triplicate, whereas if business was done directly with the Department in Ottawa, the returns would be made in duplicate, and be a great convenience to traders. I think that the requirements of Brockville should not be overlooked when the Government takes this question under consideration.

MR. BUNSTER: While the motion of the hon. member for North Perth (Mr. Hesson) is before the House, I may say that I think his remarks disparaging to British Columbia were uncalled for. The language uttered by the member for West Durham, a few days ago, in regard to British Columbia, was also unnecessary and derogatory. Our Province does not deserve such treatment. It would have been far better for British Columbia had she not entered Confederation; our people would feel far more confidence in working out their own destiny, than

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depending upon the false promises of Canada. I consider it unstatesmanlike to characterise our Province as an inhospitable one. It is as false as false can be. If hon. gentlemen would only visit that Province, and live in it as I have done, they would render a different verdict. Can there be anything gained by vilifying the Province as some members have done? Even the gallant knight at the head of the Government, speaking of it the other day, copied the language of the hon. member for West Durham, ungenerous and uncalled for. I was astonished to hear him use it. Before we united with Canada we had our emigration agents in San Francisco, Australia and England, to direct attention and emigrants to our shores; but we have no agents now, and the Province is cried down, though it produces more and does better than all the rest of the Dominion. They talk about our "sea of mountains." This same "sea of mountains" turns out more gold than all the mountains of the other Provinces. We beat them also in exporting more than we import. I would ask, once for all, in behalf of British Columbia, that hon. gentlemen would leave off abusing her, and try to carry out the promises made at the Union, which, so far, have been left unfulfilled.

MR. HESSON: I have listened to hon. gentlemen who have spoken all round, but none of them could say their towns had made as liberal a proposition as the hon. member for North Perth had made for Stratford. I ask the attention of the Government to another matter, and it deserves careful consideration at their hands. Stratford post-office yields a larger revenue to the Government than Ottawa, by 300 per cent. I find a most remarkable decline in the Post Office revenue of Ottawa City. I know the present Post-master-General has not had time yet to deal with this question, and it will take long to clean out the horde of useless officials maintained here at the expense of the country towns throughout Canada. Appeals to Ministers here are no doubt hard to resist, but in the interest of other places in Canada they must be resisted. I find no less than forty able-bodied men and boys employed in the Post Office Department at Ottawa, exclusive of those in the post-office about these buildings. The revenue in 1874 was \$20,988; in

1875, \$24,498; in 1876, \$14,297.14, or a decline of \$10,000 or more; in 1877, \$6,947.47; 1878, \$4,489.99; and, I am sorry to say, the revenue for 1879 declined to \$1,531.36. Just fancy, Mr. Speaker, the sum of \$1,531.36 as the nett revenue from the city of Ottawa, the capital of Canada, the total cost of running the city post-office is no less a sum than \$26,493.82, and I find that this decline is to be traced throughout the period of the late Administration in office. At this rate, another year would leave the Ottawa post-office unable to meet its expenditure. Thirteen well-paid letter-carriers are employed in this city, and one well-paid superintendent letter-carrier receiving \$600 a year. The whole force of letter-carriers get over \$7,000 to deliver letters in this city. For what are the other twenty-three well-paid clerks and officials employed; is it to draw their salaries? This state of things is not creditable to the management of the post-office of the city of Ottawa, and I hope the Postmaster-General will see to it, in order to the cutting down of the expenses here as soon as possible.

MR. KRANZ: With regard to North Waterloo, I will draw the attention of the Government to the advisability of erecting public buildings in every country town needing a Customs and Internal Revenue, and post-office. Forty per cent. of the Customs collected in the Guelph district is got from Berlin. That amount is received in a room six feet by twelve feet. I hope that as soon as the Government can make the revenue and expenditure meet it will not forget Berlin, but erect a good building in it. We want a Customs and post-office. It is not necessary that a large sum, \$20,000 or \$30,00, should be spent.

MR. WRIGHT: I sympathise sincerely with the sorrows of the hon. gentlemen who have spoken on this subject. The truth is that the large cities have managed to swallow up the grand appropriations, while the small towns and small cities and rural sections have been comparatively neglected. I sympathise with the statements made by the hon. gentlemen who have preceded me, with regard to their own grievances and sorrows in other regions, but I tell them that I have suffered too—that my constituency has been sadly overlooked. While this city of

Ottawa, alluded to in such touching and feeling terms by the hon. member for North Perth (Mr. Hesson), can boast of a magnificent post-office and postal service, my own county, so near, has been comparatively neglected. On the opposite side of the river there is a large city, which compares favourably with other cities of the Dominion, and yet it is without a post-office at all. I call the attention of the Postmaster-General to his *laches* in that direction. I hope he will see to our wants in this respect, and that hon. members will enforce on the Government the propriety of giving to the rural constituencies their rights in this matter, and that they will receive due attention when the Estimates come down.

MR. ALLISON: As I have been endeavouring to impress upon some hon. members of the Government the importance of erecting a public building in the shire town of the county I represent, I take the opportunity of impressing its importance upon the Government as a whole. It would be difficult, I think, to find in the Dominion a town in which the post-office work is so large, and the accommodation so limited. Until this discussion arose, I hoped that I stood almost alone in my application, but as the applications for such buildings appear to be so general, I think the only satisfactory solution will be for the Government to erect such buildings in all the important towns where they are required. If this cannot be done at once, I particularly commend to the favourable consideration of the Government the urgent claims of the town of Windsor in the county I represent.

SIR JOHN A. MACDONALD: There seems to be quite a consensus of opinion, almost amounting to enthusiasm, on the part of hon. members from cities and towns in favour of the erection of handsome public buildings in their constituencies for post-offices and other purposes. I do not see that the same enthusiasm exists among the representatives of the rural constituencies; and I think that the Government, which is an economical Government, will have to throw itself upon its rural friends to resist this great pressure from the towns. Seriously, it is of importance in the Administration of the affairs of the Government, and in the transaction of its business, such as In-

land Revenue, Post Office, and so forth, that there should be a respectable building for such in every important district ; and I believe that if such buildings were made suitable, and erected economically, they would effect a very considerable saving in interest, and exempt us from the payment of high rent in many places. This improvement can only proceed by degrees. The late Government very properly erected several post-offices and other public buildings, and the present will imitate it in putting up such structures where they are clearly wanted. But of course, with so many demands on the Exchequer, Government has to think twice before incurring a large expenditure in this way ; we can only go on gradually. Perhaps not in my time but in the time of some of the younger members of this House, all the towns will have suitable buildings erected for the convenience of the public.

MR. McCUAIG: The policy of the Government of the Dominion hitherto has been to create post-offices at the public expense in cities only, and I am opposed to any grant of money being made in the present state of our finances, in violation to this excellent and well-established rule. It might be worthy the consideration of the Government, in cases where rentals are paid by them for Customs, Inland Revenue and post-offices in towns, amounting to a sum not less than \$300 per annum, whether it would not be advisable to capitalise this amount, which, at six per cent., would pay the interest on a loan of nearly \$5,000, buy a site and build a substantial suitable building for the post-office, Customs and Inland Revenue offices. This policy, if adopted, would add no additional expense to the Government on what they at present pay, and would, without doubt, enable them to secure the land at a much cheaper rate at present than after the town has assumed the importance of a city. On the general question of the management of the Post Office Department, I have pleasure in bearing a willing testimony to the care and efficiency with which it has been administered. It is quite true, through the urgency of the inhabitants of many localities, and the influence of members in connection with a desire on behalf of the officers of the Department, to give every possible accom-

modation within their power, many country offices have been opened throughout the whole Dominion, and to such an extent has this liberal and considerate policy been carried that the expenditure over receipts has reached so large a sum that Government may be constrained in the future to curtail. There is no Department of the Public Service brought more in daily contact with the people, and it is a fact that cannot be disputed that its management commands the confidence of the country. I notice with surprise the remarks of an hon. gentleman in the direction of fault-finding with the expenses of the post-offices of this city. I beg to remind him and hon. members of this House of the enormous increase of work imposed on this office during the Session of Parliament, and I have every confidence, if the matter is carefully examined by him, he will find the same economy, care and prudence in the conducting of this office that distinguishes the management of the Post Office Department generally.

MR. VALLÉE: As the Province of Ontario has this evening united with British Columbia in asking money from the Government, I cannot abstain from claiming on behalf of my own Province a very small share in the generous concessions which the Government may be induced to make, after such warm and eloquent appeals. I consider that, if our friends on the other side of the House are entitled to claim anything for the Province of Ontario, on this side we have a right to claim something for the Province of Quebec. We have in that Province several important towns, which have so far received nothing from the Government for the construction of Post-offices. A few moments ago, an hon. member from Ontario, in order to arouse the generosity of the Postmaster-General in favour of his Province, stated that it was entitled to concessions, as it contributed so large a share to the revenue of the Dominion. I desire to point out to my friends from Ontario that, according to the report of the Customs Department for this year, the Province of Quebec contributed to the Customs Revenue at the rate of \$3.97 per soul, while the Province of Ontario only contributed \$3.06 per soul. Consequently, if our claims are to be based on the pro-

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portion of the revenue contributed by each Province, I consider that the towns of the Province of Quebec, and especially the town of Lévis, on whose behalf I make this application, are entitled to receive assistance from the Government. I admit, however, that this question should not rest upon so narrow a basis; we ask grants from the Government in the general interest of the Dominion of Canada. The good name of the country requires that the Government should, as far as possible, build a suitable post-office in each important town in the Dominion; I hope, therefore, that, when the present Government takes this question into consideration, it will not forget the town of Lévis, nor those of St. Hyacinthe and Sorel, which have no post-offices built at the cost of the state.

MR. MÉTHOT: As I observe hon. members from the different Provinces of the Dominion rise one after another, to point out in turn the merits of the towns which they represent, respectively, I feel that I should be truly deserving of blame if I did not raise my voice to call upon the Government not to forget, in the distribution of the favours which, so far as I can see, it is disposed to grant to the different towns in the Province, to grant a share of those favours to the town of Three Rivers. It is one of the oldest towns, the second in age in the country, and the third in population. At Three Rivers, we suffer considerable inconvenience from the fact that we are unprovided with a suitable post-office. The Government has indeed put up a sort of a building, which is buried in a sand bank, for use as a Custom-house. But I do not consider that a separate building would be asked for as a post-office, but only that an addition should be built to the Custom-house, so as to provide a suitable building for the accommodation of all the public offices. It would then be unnecessary to hire a special building for post-office purposes, a course which places us at the mercy of a private individual. I trust then that the Government will kindly bear the town of Three Rivers in mind, and grant us a small share of the public money, so as to provide us, if not with a separate post-office, at least with a suitable building for the accommodation of

the post-office, the Custom-house and the other public offices.

MR. McINNES: I desire the indulgence of the House for a few moments, while referring to a statement made by the hon. member for South Huron (Mr. Cameron). The hon. gentleman, in giving the amount of revenue derived from the mail service of each Province, as compared with the expenditure, stated that British Columbia stood the lowest; that she only contributed twenty-six per cent. of the amount spent; and then he went on to laud the Province of Manitoba for the large revenue she yielded to the Department of the Postmaster-General. Well, I am not surprised that Manitoba yielded a large, and British Columbia a small revenue to that Department. I would like to know what amount the prairie Province yielded prior to railway construction being commenced. I have not the figures at hand, but venture the opinion that it was a very small one indeed. Now, it must be taken into consideration that British Columbia has been kept for the last six years in a constant state of uncertainty with respect to the location of the Canadian Pacific Railway in that Province, and the lack of faith engendered by the vacillating policy of the late Administration had anything but a tendency to inspire confidence in the country, and to attract capitalists and immigration to the Province. It therefore cannot be wondered at that we have a small population, and yielded only a small revenue to the Post Office Department. The late Government being more favourably disposed to Manitoba than British Columbia, began railway construction in that Province some four or five years ago, and as a natural consequence attracted capitalists and thousands of immigrants annually. I contend the same happy result would have been attained in British Columbia had an equally liberal and just policy been pursued by the late Administration. It has been left to the present Government, and I am happy that it has been left to them, to carry out the terms of Union with British Columbia. This considerate and just policy has been adopted by the Government who, on coming into power, resolved to give British Columbia that measure of justice to which she was entitled, and so long desired by the hon. member for West

Durham and his associates. A contract of 127 miles of railway has been awarded, and construction will be begun next month, and I will only mention one of the many immediate benefits to be derived from railway construction. Since British Columbia became part of the Dominion, the Government has been paying a steam-boat company an annual subsidy of no less than \$54,000 for carrying the mails between Victoria and San Francisco. Now in view of railway construction in British Columbia, a contract for the same mail service has been awarded a few days ago for a considerable sum less than one-third the original amount. By the influx of population, the impetus that thus will be given to every industry now in the Province, and the new ones that will spring into existence, I have no hesitation in predicting a bright future for British Columbia, and that she will contribute as large a percentage on the money expended in postal service as any Province in the Dominion.

MR. MOUSSEAU: I have had occasion to witness a splendid proof of the anxiety of the Government to practice economy. I have in my county a tolerably large village which asks, not for a post-office, but simply for a box at the railway station. Now, these boxes cost a large sum of money. Some of them cost three dollars and fifty cents, others four, five and even ten dollars. But our people are not extravagant—we are country people—and we only ask for a box of the cheapest kind. After a most humble and moderate petition, addressed by me as member for the county to the Post Office Department, then controlled by Sir Alexander Campbell, I received a reply, covering four pages of foolscap, informing me that I was altogether wrong; that I wanted to waste the public money; that four dollars for a small village in Quebec was too great an outlay. But \$50,000 can be spent in a single large city in Ontario. I was shown as clearly as that two and two makes four that, in my little village, the distance from the post-office to the railway station was but fifty yards, whereas, in the villages of Ontario and of the eastern townships of the Province of Quebec, the distance was from 100 to 200 yards between the railway stations and the post-offices. It is quite clear, therefore, that I have good reason to stand by the

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policy of the Government as regards economy in the matter of post-offices, since they have refused to grant me for my county a box worth three dollars and fifty cents.

MR. DESJARDINS: I avail myself of this opportunity to say a word or two in relation to the administration of the Post Office. In the county of Hochelaga, we have also several towns whose interests deserve the attention of the Postmaster-General. I shall not go so far as to ask for post-office buildings, such as those required for a certain number of other towns, but I desire that the service, in the municipalities of my county should be such as to meet the requirements of the public, and proportioned to the amount of business transacted between them and great central point, Montreal. The principle suggested by the hon. member for North Huron (Mr. Farrow), that the question of postal service should be treated solely as a matter of direct revenue, is not a principle which can be adopted generally, especially in this country. If, as he maintains, the Government should consider the organisation as a matter of pure speculation, it were better to leave the service to private enterprise. But it is evident that, in a country such as ours, where the distances are so great and where the service cannot be carried out without great expense, we should be left in a very backward condition if the postal facilities were to be limited in proportion to the amount of revenue each locality is capable of yielding. The wants of the people would in no way be met, and the development of the country would be greatly retarded. We all know quite well that since the Government of this country has adopted the policy of rendering the postal service as complete as possible, and endeavoured to combine cheapness with an effectual mail service, the revenue derived has been comparatively greater than when the postage on letters and newspapers was very much higher. In my county complaint is justly made that in important centres, such as St. Henri, with a population of 15,000 to 20,000 souls, St. Jean Baptiste, St. Cunegonde, St. Gabriel and others, the service is not such as to meet the requirements of the population. To refuse to those important localities a suitable service, in order to effect a saving,

is false economy. If those municipalities were afforded all the benefits of a cheap, more regular and more frequent service, the revenue derived from them would certainly suffice to indemnify the Government for the increased expenditure required. I would therefore ask the hon. the Postmaster-General to grant favourable consideration to the petitions I have recently presented to him in relation to this matter.

MR. STEPHENSON: A number of years ago—about the year 1873—I was given to understand that the Government proposed to erect post-offices in the five leading towns of Ontario, namely: Belleville, Brantford, Guelph, St. Catharines and Chatham. Four of those towns have since then been incorporated as cities, and Chatham, I believe, stands on the list as the next to be incorporated, and application with that end in view will probably be made to the Local Legislature at its next Session. Not only is the revenue from the Post Office Department in Chatham as much as, if not more than, that of any other town in Ontario, but the revenue derived from the Customs Department, and the Inland Revenue Department is also very large. Taking the revenue from these three sources—Customs, Post Office and Inland Revenue—Chatham, I believe, pays into the Treasury something like \$64,000 in round figures, for the collection of which the Government pay out something like \$8,000 or \$9,000. Therefore I think it will be seen that Chatham should receive the first consideration at the hands of the Government in making these appropriations.

MR. HESSON: I did not intend to refer to the town of Chatham or its revenue, though I had the figures before me, but the hon. member from Kent (Mr. Stevenson) has made an unfair comparison against Stratford, he having included the Inland Revenue receipts, and not having deducted the charges for collection. The figures, as taken from the Public Accounts are these: Post-office and Customs returns from Chatham gave a nett revenue of \$24,219.22, and from the town of Stratford \$47,815.74, or nearly two dollars to one. I claim that Stratford stands only second to the town of Brockville in its revenue from these two sources.

MR. STEVENSON: I think if the

hon. gentleman will look at the returns that he will find that they are about as follows: Post Office, about \$8,000 or \$9,000, and Customs from \$25,000 to \$30,000; Inland revenue about \$25,000.

MR. O'CONNOR: I am very thankful for the many suggestions that have been thrown out by hon. members. Many of them are very valuable suggestions which will not be lost sight of when the proper time comes to take them into consideration. Perhaps one of the most valuable suggestions is that which advises the Government not to proceed with these improvements until the revenue of the country warrants it. That I fear will have to be attended to for some time, although in some places I have no doubt we shall be able, from time to time, to do something towards meeting the wishes of hon. gentlemen who have spoken upon this question. But there is no doubt that in the present state of affairs but little can be done for a while in that way, and I trust that hon. members will so instruct their constituents that they will not expect much at the hands of the Government until the finances of the country are in a better condition than they are at the present time. There is, however, no objection in the meantime to the motion passing.

MR. MACKENZIE: I am very sorry to hear from the hon. the Postmaster-General that the country is in such a deplorable state. We were led to believe, two years ago, that, as soon as he and his colleagues obtained office, everything would at once be flourishing, and there would be prosperity on every hand. Now, one member after another rises up on the Ministerial Benches and deplores the want of funds to build even a small country post-office.

MR. O'CONNOR: Not a post-office but a series of post-offices.

MR. MACKENZIE: A series of post-offices; very well, we will take it that way, though what a series of post-offices is I really do not know.

MR. O'CONNOR: A number then.

MR. MACKENZIE: I was about to say, with regard to the buildings that have been erected, that it was not solely for the purpose of affording post-office accommodation that buildings were erected by the late Administration in Windsor, Brantford and Guelph.

These were three great centres of revenue collection. I am not quite certain about the amount received at present in Windsor. It is about \$650,000, I believe, within the last year, like everything else under hon. gentlemen opposite. Formerly it was about \$750,000. In Guelph, about the time that we commenced to build there, the collections of the Inland Revenue Department was somewhere about \$300,000. It has now gone down to \$125,000. In Brantford—the revenue district itself is named Paris, although the real revenue collection is done in Brantford—between the Customs and Excise the revenue collected is about \$231,000. The ground I took myself in regard to such buildings was this: it is a mistake to imagine that in ordinary towns of a few thousand people it would be cheaper to build than to rent. You will rent one in almost all these cases cheaper than you can build. But, where there is a large number of officers—as in Windsor—and the collections of Windsor are not much over half that collected in Sarnia, but owing to the large amount of travel to and from the United States, a large number of officers are required—a building is absolutely indispensable. The ground we took was, that wherever it became necessary to have larger accommodation than could be procured at a reasonable rent, we should build. We therefore selected these three towns to erect buildings in, with the intention of proceeding as events developed themselves in other quarters, and not with the view some hon. gentlemen have suggested, not with the view of distributing the revenue in building paltry structures in little towns here and there over the country. The expenditure of \$10,000 to \$20,000 in a place like Stratford, would be of comparatively small importance compared with the expenditures made by private persons in the construction of buildings. The expense to the Government would be large, while the benefits to the localities would be very small. The true plan is to endeavour to do as a Government as a private individual would do for himself. When it is best to rent, when it is best to build, but avoid building as long as you can possibly rent on fair terms.

**MR. BOURBEAU:** The Government cannot be charged with having

failed to practice economy to a sufficient extent in the division to which I belong, as regards the Post Office Department. In the Three Rivers division, as it is well-known, the population is almost exclusively French Canadian, and most of the postmasters do not understand the English language. It is very desirable that the notifications for postmasters who are French Canadians should be printed in their language. They complain of receiving circulars printed only in English, and the postmasters cannot understand the purport of such circulars. The same complaint is made as to the headings of accounts, which are printed for the most part in English. I would therefore request the Postmaster-General to direct that circulars, headings of accounts, and other matters relating to post-offices, be printed also in French. It is asserted that the expenditure in the Province of Quebec does not bear so satisfactory a proportion to the revenue as in the Province of Ontario, and this leads me to mention the difference in salary between the Post Office Inspectors. I think that in the Three Rivers division the Inspector receives a much smaller salary than that paid in the other divisions. His salary, if I am not mistaken, is \$1,200, while the salaries of the other Inspectors amount to \$2,000 and even \$2,400. Now, I am not one of those who desire to increase the cost of the Public Service; on the contrary, I shall always strive to reduce it as much as possible. What I want is that there should be less difference between the salaries of the Inspectors. Now, if \$1,200 is enough for one Inspector, \$2,400 must be too much for another. If the latter sum is not too much, the first cannot be enough. It cannot be said that, in the county I have the honour to represent, the carrying of the mails costs too much. I have ascertained that most of those who carry the mails perform the service very cheaply. Thanks to the late Postmaster-General, we have effected every possible saving in our county. We had in that county two mail conductors on the railway from Three Rivers to Arthabaska. These two conductors having been dispensed with, a saving of about \$3,000 has been effected. I desire also to call the attention of the Postmaster-General to the fact that one of the mail conductors was placed on the

retired list, without having asked for it. He had done his duty well during fourteen years, and was fully capable of continuing to do so. That worthy officer, Mr. Beaudet, had reached the position of a first-class clerk in the Public Service. After he was placed on the retired list, he applied again for work, and was given employment, but I regret to state, for the sake of my friend Mr. Beaudet, that he has been placed in the position of a second-class clerk. Now, inasmuch as no complaint was ever made or filed against him in the Department, I think it is the duty of the hon. the Postmaster-General to reinstate that gentleman to the position of a first-class clerk previously held by him.

MR. ROYAL: Several hon. gentlemen have addressed the House asking to have public buildings erected in their localities for use as post-offices. We in the North-West do not demand any such thing. Our people would be well pleased with shanties, provided the emigrants received their letters as soon as possible. It has been said that the revenue derived from Manitoba is not to be compared with some of the other Provinces. Well, Sir, I am informed that proportionately Manitoba contributes more than many of her elder sisters to the revenue of the Department. Besides, in my humble opinion, the North-West is the place for investment for the Dominion, and from that point of view I think that by increasing the postal facilities in Manitoba as well as the North-West Territories, they will be creating a large number of emigration agents. Emigrants, as soon as they are settled in their new home, write to their friends telling them of what they have seen in Manitoba and the North-West. They therefore are the most disinterested and faithful emigration agents. There is no doubt that a great deal of energy has been displayed by the Postmaster-General in spreading postal facilities all over Manitoba, and establishing and maintaining a trunk line in the North-West. Further efforts, however, in this direction may be made with advantage. For instance, it has recently been made known that the Turtle Mountain district, is one of the best districts in Manitoba, and it is urged that by extending the line of the post-offices, from a certain point near Mountain City, once a week, that very material benefit would result in the

promotion of the emigration likely to take that course in the spring and next season, and the cost would be trifling. Just now, there is only a fortnightly mail between Winnipeg and Battleford. I am of opinion that deviations should be made from the main line to such settlements as Qu'Appelle, Wood Mountain and St. Laurent and other ports, where there are already very large and flourishing settlements. Mr. Speaker, while I give just credit to the hon. the Postmaster-General, for the energy and unceasing attention given by his officers to the establishment of post-offices in Manitoba, yet something more is to be done. A fit and competent person should be appointed Inspector for the Province and the North-West Territories, who could, no doubt, keep pace with the rapid settlement of the country, in the increase of postal facilities.

*Motion agreed to.*

#### SHELburne HARBOUR—LIGHT AT SURF POINT.

##### MOTION FOR RETURN.

MR. ROBERTSON (Shelburne) moved for an Order of the House for a return of all tenders forwarded to the Department of Marine and Fisheries for the erection of a lighthouse at Surf Point, Shelburne Harbour; names of successful contractors and their bondsmen; moneys paid for advertising for tenders; amount paid contractors and workmen, and for what purpose; when construction of said lighthouse was postponed; also, the report of Inspector or Arbitrator upon which said moneys were paid, and amount of salary awarded him. He said: The light at the harbour of Shelburne was destroyed by fire two years ago this month. Almost immediately afterwards the Mackenzie Administration appropriated the sum of \$2,000 towards the re-building of the light. The site of the old light was Sand Point, and petitions were presented to the Government asking that the light should be placed at Surf Point. The matter was brought to the attention of the Government last Session, and the answer given was that the light would be erected at Surf Point. I believe the decision the hon. the Minister of Marine and Fisheries arrived at last year was based upon the advice of his officers in Nova Scotia, whom he consulted. The work was proceeded



with and a certain sum of money expended. Subsequently the work was postponed, and I am credibly informed that a considerable sum of money has been paid to contractors because of their discontinuance of the contract. The object I have in making this motion is to ascertain the actual amount paid up to the present time in connection with the work.

MR. POPE (Queen's P. E. I.) : There is no objection to furnish the information asked for. The statement of facts made by the hon. gentleman is entirely correct. I endeavoured to obtain the best information I could upon the subject, and the reports from our officers were in favour of having the light constructed at Sand Point. The contract was let for the building of the light there. Subsequently, petition after petition came in, signed by masters of coasting steamers and vessels, asking that the construction might be stopped and the work erected at Sand Point, not at the same place it was before but at the spit at Sand Point. After this I referred again to our own officers in Halifax, and they, after making enquiries, reported in favour of the spit at Sand Point. So far as I myself am concerned, I have never been at Shelburne, and I had to trust to the petitions received and the information I obtained from our own officers and others. I think I am safe in saying that the greater portion of the vessels trading there are small coasting vessels and traders, and for these vessels Sand Point is very much to be preferred to the other. Of course when the Government undertakes to stop public works it must pay for the work. A valuation of the work and material was made, and the contractor was paid accordingly. Tenders were then asked for the construction of a light on the spit at Sand Point. These tenders have been received, and there the matter stands. I think the hon. the Minister of Railways and Canals, who comes from Nova Scotia, is perhaps personally acquainted with the locality, and can better satisfy the House as to the reasons which actuated the Department of Marine and Fisheries in stopping the works. So far as the Department is concerned, we have only one desire, to put the light in the best place possible to suit the convenience of the vessels trading there.

MR. ROBERTSON.

MR. ROBERTSON (Shelburne) : I rise to correct a wrong impression under which the hon. the Minister of Marine and Fisheries seems to be labouring. He says that only a small class of coasting vessels frequent Shelburne Harbour. I can assure him, however, that Shelburne is one of the most important ports in Nova Scotia, and in 1878 nearly 100,000 tons of shipping made use of it as a port of call. I think the tonnage last year showed an increase over the year 1878. Again, from the remarks of the hon. Minister, it would be supposed that the petitions received asked simply for the erection of the light at Sand Point. Petitions were also forwarded to the Department, signed by between 700 and 1,000 electors of that county, asking that the light should be erected at Surf Point, on the western side of the harbour.

SIR CHARLES TUPPER : I was induced to take a very deep interest in this subject, by the representations of a large number of persons who were in the habit of frequenting the harbour of Shelburne. It is quite true that the officers of the Marine and Fisheries Department reported in the first place in favour of Surf Point; but upon investigation it was found that the strong representations in favour of Surf Point were based upon a misapprehension, owing to the fact that it was supposed that the question was as between Sand Point, the site of the former lighthouse, and Surf Point, whereas it was not intended nor desired by any person to build it on the old site, but to bring it down to the spit of land at the remote end, where the greatest danger is encountered in going in or out of the harbour. When this matter came to be considered it was found that the spit at Sand Point would best subserve the interests of all of those who had occasion to frequent the port. It is well known to this House that the former member for Shelburne (Captain Coffin) always bore the reputation of being an able sea captain. Captain Coffin, who was for some years Receiver-General of this Government, Captain Coffin who was a ship-builder, Captain Coffin who was a ship-owner, and Captain Coffin who had been personally engaged for years going in and out of the harbour as a navigator, took the warmest interest in this question, and insisted that a greater

mistake could not be made than to re-build this light house at Surf Point instead of Sand Point. Although I did not on all questions agree with the hon. gentleman in the course he took in this House, I may say that on that question I feel his opinion is of the greatest possible weight, as the sound opinion of a practical man who had the best means of forming an accurate judgment on that point. The captains of the Cunard Company, a large number of captains belonging to the ports of Shelburne and Yarmouth, as well as Captain Doan, who had occasion to go into that harbour every week of his life, were strongly of opinion that a very great mistake was being made, and one that would be attended with the greatest possible danger if the lighthouse were built on Surf Point instead of Sand Point. I had occasion to visit the town of Shelburne a short time ago, and in returning to the city of Halifax on board the steamer, we were in a state of considerable anxiety as to where we were. The night was very foggy, and my experiences on that occasion induced me to take a lively interest in the subject. Had the light been on the spit at Sand Point we should not have experienced any danger. The matter is one of great importance, and I offer these observations with a view of showing to the House the reasons which induced me to represent strongly to my hon. colleagues the propriety of re-building at Sand Point.

*Motion agreed to.*

#### NOVA SCOTIA—PROPOSED BREAK-WATER AT PETIT RIVIÈRE.

##### MOTION FOR REPORT.

MR. KAULBACH, in moving for an Order of the House for a return of all reports and plans of surveys made at Petit Rivière, County of Lunenburg, Nova Scotia, in view of the proposed construction of a breakwater there, said: The necessity for the construction of a breakwater in this locality does not admit of a doubt, and will not be disputed by anyone who will undertake to inform himself of the locality, and the unfortunate position the inhabitants of Petit Rivière have been subjected to for many years, from the want of a harbour of safety for their vessels and the convenience of a market and place of shipment for their produce. Petit Rivière

forms a noble section or part of the county of Lunenburg, which I have the honour to represent, with a soil the uplands of which are quite equal to any in the Province, abounding in timber of the most valuable description, stretching from the interior of the Province to the location of this contemplated breakwater, interspersed with farms and forests in every direction. The village or settlement of Petit Rivière is situated at the head of a large open bay, exposed to the violence of the storms the Atlantic Ocean, without any protection from easterly or southerly storms; the northern side and head of the said bay having shallow water with flats and sandbanks, the western side only offering chances for anchorage for shipping and the construction of a breakwater. At the western side of this bay several sites have been chosen, but none offering the advantages for cheapness of construction and advisability as a harbour of safety, equal that of "Cherry Point," this point being a promontory jutting out from the direct line of coast and forming, in part, a breakwater in itself. Application has been made on previous occasions, for a breakwater on the western side of this bay, but private prejudices and sectional interests combined, interposing each time, have offered delays and prevented a survey being made in the most desirable location, hence the delay in the construction of the work up to the present moment. Quite a number of vessels engaged in the coasting trade and fisheries are owned in Petit Rivière, the owners of which have been for many years, and still are, subjected to the risk of the loss of their vessels and lives by remaining in the bay when the wind is in from the sea, all being compelled to weigh anchor and seek refuge in the nearest harbour, which means at times to run to sea and make a harbour miles distant. The exports of fish, lumber and farm produce from this place form a very considerable item, which, in consequence of the want of a place of shipment for these commodities, the inhabitants have been compelled, in many instances, to sell at a sacrifice to the merchants and traders of the place. Most of the shipments in seagoing vessels are made in lighters which are not only dangerous and inconvenient, but expensive, and must necessarily be borne by the poor yeomanry and fishermen of the place.

This contemplated breakwater will not only be a harbour of refuge and convenience for vessels, but to fishingboats as well, which now must be drawn up on the bank or suffer the risk of being driven to pieces by the sea. A great additional inconvenience has existed, and still exists, to fishermen engaged in boat fishing for the want of a harbour of shelter for their boats, they being compelled after a severe storm to remain days together deprived of fishing, in consequence of the surf on the shore and their inability to launch their boats, although the water in the bay may be smooth and offering at the time good fishing. Now that the National Policy is beginning to show beneficial results in this country, and the Province of Nova Scotia generally, I am very desirous that this particular section of my county shall suffer no longer for the want of a harbour for the exports of their manufactures and products, but that this long expected, much desired and necessary public structure may be built, and that an engineer may be sent as early as practicable the coming summer to make the survey of this particular point and report the same as early as convenient.

*Motion agreed to.*

#### KINGSTON DRY DOCK.

##### MOTION FOR RETURN.

MR. KIRKPATRICK, in moving for an Order of the House for a return of all reports made by Government Engineers, and all letters and correspondence relating to the construction of a dry dock at Kingston, and as to the necessity for the same, consequent upon the enlargement of the Welland Canal, said: In making this motion, perhaps I may be allowed to state the reasons why I ask for this report, which I believe has been made. For some years we have been expending large sums of money in enlarging the canals, and especially the Welland Canal, so as to pass vessels of large capacity—up to 60,000 bushels of grain—through it, and going down into Lake Ontario, thus making Lake Ontario the foot of lake navigation. As the means for repairing vessels, in vogue for some time past, will be utterly incapable of accommodating vessels of this capacity, it is necessary to provide some better means of repairing them, if these repairs are to be done in Canada. In the last few years the aver-

age number of vessels for repairs, for dockage, was fifty or sixty a year. These vessels were too large to be hauled up; and it has been usual for such vessels to go down to Ogdensburg, to be docked and have the necessary repairs done, Canada thus losing the hundreds and thousands of dollars spent upon such repairs, because we had no dockage in a Canadian port. It is of the utmost consequence, now that Lake Ontario is to be made the foot of lake navigation, that there should be some place to take in vessels of this class. It is just as necessary as that there should be one at Quebec for ocean-going vessels. We are expending large sums of money to encourage the carrying of grain down the River St. Lawrence, and in order to do so, we must give owners and captains of vessels, if they come down these Lakes, the means to do any repairs that may be necessary; if not they will not come to Canadian ports, they will prefer to go to American ports—even at a lower rate—where they know their repairs can be made. A report has been made to the Government; they sent an Engineer to inspect the place and report as to the construction of such a dock, and the country ought to see that report. I do not believe that this dry dock will in the end cost the Government anything at all, but will pay for itself. Either the Government should construct the dock and lease it—and in such a case they will get an ample amount to pay them interest on any outlay—or they may lend a sum of money to a company of persons interested in shipping and marine. There are persons ready to undertake the construction of the dock and pay four per cent. interest on the money lent to them. It is a necessary work consequent on the large sum of money invested in the Welland Canal; at the same time it will be an encouragement to shipping, and further, it can be done without costing the country any money beyond a well secured loan. If these three reasons exist, the Government ought to undertake this work.

*Motion agreed to.*

#### QUEBEC, MONTREAL, OTTAWA AND OCCIDENTAL RAILWAY.

##### MOTION FOR CORRESPONDENCE.

MR. MACKENZIE moved for an Address for a copy of all correspondence

MR. KAULBACH.

between the Government and the Quebec Government concerning the purchase by the Dominion Government of the Quebec Provincial Railway, known as the Quebec, Montreal, Ottawa and Occidental Railway.

MR. MASSON: There is no such correspondence in existence. I think therefore the hon. gentleman had better withdraw the motion.

MR. MACKENZIE: Then I withdraw it; but will there be any such correspondence?

MR. MASSON: It will perhaps be as well to ask the Local Government about that.

Motion, with leave of the House, *withdrawn*.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally *agreed to* :—

Order of the House—Return of all correspondence and petitions asking for the erection of the harbour light at Surf Point, and also at Sand Point, Shelburne Harbour, and any reports made during the past two years by the officers of the Government in Nova Scotia as to the proper position of said light.—(Mr. Robertson, Shelburne.)

Order of the House—Return of all Deputy-Inspectors of Weights and Measures removed since the 1st of July, 1879; of all persons appointed as Inspectors and Deputy-Inspectors of Weights and Measures since the same date.—(Mr. Mackenzie)

Order of the House—Copies of correspondence and the report of the Engineer employed by the Government to examine into, and report upon a petition for the opening of a channel from Porter's Lake to the sea.—(Mr. Kaulbach.)

Order of the House—Copies of correspondence and the reports of the Engineer employed by the Government to examine into and report upon a petition for the extension of a breakwater commenced in the year 1878 at Three Pathon Harbour.—(Mr. Kaulbach.)

Order of the House—Copies of correspondence and the report of the Engineer employed by the Government to examine into and report upon a petition for the dredging of a channel in the harbour of Jeddore, in the county of Halifax.—(Mr. Kaulbach.)

House adjourned at

Twenty minutes before

Eleven o'clock.

## HOUSE OF COMMONS.

Wednesday, 3rd March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

#### BILLS INTRODUCED.

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

Bill (No. 49) To incorporate the Red River and Assiniboine Bridge Company.—(Mr. White, Cardwell.)

Bill (No. 50) To amend the Act to incorporate the Ontario and Pacific Junction Railway Company.—(Mr. Williams.)

Bill (No. 51) To amend the Act 36 Vic., chap. 108, intituled an Act to grant additional powers to the Quebec and Gulf Ports Steamship Company.—(Mr. McGreevy.)

#### MARITIME JURISDICTION ACT AMENDMENT ACT AMENDMENT BILL.

(Mr. Shaw.)

#### FIRST READING.

Mr. SHAW introduced a Bill (No. 52) To repeal section 2 of a certain Act, intituled an Act to amend the Maritime Jurisdiction Act, 1877. He said: There was an Act passed by this Parliament in 1877 to establish a Court of Maritime Jurisdiction in the Province of Ontario. That Act provided, by the first section, that:

“Save as by this Act excepted, all persons shall, after this Act shall come into force, have in the Province of Ontario, the like rights and remedies in all matters (including cases of contracts and tort, and proceedings *in rem* and *in personam*) arising out of or connected with navigation, shipping, trade or commerce on any river, lake, canal or in land water, of which the whole or part is in the Province of Ontario, as such persons would have in any existing British Vice Admiralty Court, if the process of such Court extended to the said Province.”

The following section of the Act provided for the establishment of a Maritime Court. By the fourth Sub-section of the second section, it is provided:

“That no right or remedy *in rem* given by this Act only shall be enforced as against any subsequent *bona fide* purchaser or mortgagee of a ship, unless the proceedings for the enforcement thereof be begun within ninety days from the time when the same accrued.”

During the last Session of this House a Bill was passed entitled an Act to amend the Maritime Jurisdiction Act of 1877. In the second section of that Act it was provided that:

"No right or remedy *in rem* given by the said Act in respect of claims for tonnage, or claims for damage done by collisions by any ship, shall be enforced as against any *bonâ fide* mortgagee, whose mortgage is duly executed and registered at a port of either of the Provinces of Ontario or Quebec."

This Bill asks for the repeal of that section. I am of opinion that no greater remedy should be given to the mortgagee than is given to the *bonâ fide* purchaser. The mortgagee should not be placed in a better position than a person who owned the ship. The object of this Bill is to place them on a par.

Bill read the first time.

#### PORT STANLEY LIGHTHOUSE.

##### QUESTION.

MR. ARKELL enquired, Whether it is the intention of the Government to place a sum in the Estimates, this Session, to build a new lighthouse at Port Stanley.

MR. POPE (Queen's P. E. I.): It is the intention to place such a sum in the Estimates.

#### TORONTO HARBOUR IMPROVEMENT.

##### QUESTION.

MR. HAY enquired, Whether the Government have considered the petition of the citizens, captains and vessel-owners of Toronto, presented last Session, in reference to the Toronto Harbour, and what measures they intend to adopt, if any, for its improvement and preservation.

MR. LANGEVIN: This question of the harbour of Toronto has occupied the attention of the Government for some years. My predecessor in the Public Works Department, not my immediate predecessor, but the previous one, proposed to obtain from Parliament votes of money for dredging the harbour. However, it appears from the engineers and others that the work so performed, though intended to relieve the harbour to a great extent, does not entirely meet the expectations. Under these circumstances the matter is now receiving the most serious attention of the Government. At a future day most likely I will be able to give a more definite answer to the hon. gentleman.

#### MISSISQUOI—PHILIPSBURGH BREAK-WATER.

##### QUESTION.

MR. BAKER enquired, Whether it is the intention of the Government to place

MR. SHAW.

in the Estimates, this Session, an appropriation for the construction of a breakwater at Philipsburgh, in the County of Missisquoi.

MR. LANGEVIN: It is not the intention of the Government to ask for an appropriation for the construction of a breakwater at Philipsburgh, but it is their intention to have an examination of this locality made.

#### PRIVILEGE—THE MEMBER FOR LENNOX.

##### REMARKS.

MR. CASEY: I presented a second petition, yesterday, referring to the case of the hon. member for Lennox, and I thought it would serve the purpose of convenience if that petition were allowed to be read and received now, so that both petitions might be considered during the same debate, otherwise it will involve a second debate and a considerable loss of time.

SIR JOHN A. MACDONALD: I think it is too serious a matter to be dealt with in that way. We have taken the grave responsibility of receiving the first petition, and we must deal with that before we take up another.

MR. CASEY: I merely made the suggestion, and I do not desire to make a motion.

#### PACIFIC RAILWAY CONTRACTS.

##### MOTION FOR STATEMENT.

MR. McLENNAN moved for an Order of the House for a statement of each contract let up to the 31st December, 1879, on the Pacific Railway, showing the estimated cost of the work on such contract according to the tender accepted, the amount paid to the contractor or contractors in respect thereof, and the amount yet required to complete the contract, so far as the same is known or approximately estimated; also, a statement of the decision, if any, arrived at by the Government as to the bridging of Red River, and the junction of the line west of Red River with the part of the road under construction from Thunder Bay and with the city of Winnipeg. He said: Mr. Speaker, I desire to call the attention of the House and the Government to these matters connected with the expenditure on the Pacific Railway, at this stage of the Session for two reasons. In the first place, it

appears to me that it has become a habit of the Government to bring down the statement on this important question at a very late period of the Session, when it becomes difficult to discuss fully the matters involved, questions that are of the first importance in respect to every interest in this country. Again, it is well known that the Public Accounts Committee sat last year upon the items of expenditure upon the Pacific Railway, and the questions involved in that expenditure. The report of the Committee was published after Parliament had risen, and I think that gentlemen who have read the report and looked with any care into it must admit that it contains matter altogether too important to be consigned to the oblivion of the Blue-book. I shall endeavour to show to the House and the Government that there are results brought out in that investigation that prove great laxity in the method of carrying on this expenditure, and chiefly in connection with the engineering service by which it is accomplished. In the statement that was made, in 1877, to this House—I may state first, however, in connection with this whole question, that it is a question of so much importance that it was the cause of overturning the Government, under whose auspices the undertaking was first presented to the country, I do not think by their fault, because I think a great mistake was made in obstructing and overturning the first project leading to subsidy of money and public lands, and that we shall never be able to retrieve the loss caused by that obstruction. The effect, however, was to overturn the Government. I believe, and think the House agrees with me, that the late Government would have come to its end by the same means, had it not done so by a more rapid disease, that of bad finance. I believe that the system inaugurated by that Government is, as I think I shall be able to show, not one consistent with a proper method of conducting the work. I think that so far as these same methods are continued by the present Government, an entire mistake is made, and my chief object is to call the attention of the House and the Government to those methods that ought to be corrected. In the statement made in 1877, we were told that the entire cost of the 228 miles of railway then under

contract—the cost of that portion of the road when completed, including the cost of survey, erection of stations, and supplying it with rolling-stock for a heavy traffic—would be about \$24,521 per mile. Some credit was taken by the Government that that portion of the road was to be built for half the cost of the Intercolonial Railway. It was considered that to complete the link from Thunder Bay to Red River—a length of 183 miles, it being remote and difficult of access—would cost more; as thirty or forty miles of that road would be found to be of a very heavy character to construct. No estimate was given then of the probable cost of the 183 miles, but the statements made in the following year appeared to give a little nearer estimate for the entire length of four hundred and some odd miles. It was said that this portion of the road could be fairly estimated not to exceed from \$30,000 to \$32,000 per mile. I must add that the hon. Minister stated that this was his own estimate and not that of the engineer. It was his estimate that the country had to deal with. The estimate, made at the close of another year (1879), came to this: that the cost of that section of the road would amount to about eighteen millions of dollars—within a little of \$44,000 per mile. This is getting up very fast in our expenditure, and I think we shall require the assistance of this report to explain the methods by which this great increase of cost was reached. I believe that that Sub-Committee of Public Accounts is entitled to a great deal of credit for the pains it devoted to the investigation of this subject, and I regret exceedingly to find that a great many Members of the House have not read that report. I commend it to the Members of the House as very instructive reading, as it is very important to know how that expenditure is carried on; and as I can only give, briefly, such facts from the report as may confirm the statements I make, I would repeat that it is necessary to read the report in full in order to fully appreciate it. Members of the Engineering Staff were brought before the Committee, and some of the results are here illustrated. On contract 25 the quantity of money expended in excess of the estimate reached 32 per cent., or a difference of \$347,578. On No. 14 the increase over the schedule was

80 per cent., amounting to \$319,724 ; but the most extraordinary addition was in contract No. 15, reaching 40 per cent. of an increase, and amounting to the large sum of \$930,915. But the curious part of this case is the fact, stated by the District Engineer in charge of the work, that this increase was carried on and resulted from a change in the character of the work, for which he had no authority from the Department, nor from his Chief. Now it seems almost incredible, but I repeat that it is shown, that the increase on this expenditure, amounting to nearly a million of dollars, resulted from a change in the character of the work, to make which the District Engineer had no authority from his Department or his Chief. It would be tedious to read here the questions and answers illustrating this point. The report brings out some other very strange features. The Chief Engineer of this work appears to have taken a very long holiday during the year that this expenditure was carried on, and there seems to have been a singular want of harmony between the Chief and the subordinates who were entrusted with carrying out this great work. The report brings out the fact that whilst this work was going on the Chief Engineer in charge of it left the country for several months, without the slightest communication with the next officer who was to take charge in his absence. It also reveals the fact that the next officer in charge left for the field of operations without any communication with his Chief, even after the return of that gentleman. The Assistant Engineer visited the field where this great amount of money was expended, and the result comes out that nobody is responsible for the increased expenditure.

SIR CHARLES TUPPER : Perhaps the hon. gentleman would allow me to explain that I think he is labouring under a misapprehension in reference to the Chief having left the country without any communication with the Assistant Engineer, who left for the field of operations. The fact is that Mr. Marcus Smith went to the field of operations before the return of the Chief Engineer from England.

Mr. McLENNAN : It would take up too much time to look up these questions and answers, but gentlemen can read them for themselves. They are to be found in the report in Volume No. 13 of the Jour-

nals of the House ; and I think it will be found that the facts are substantially what I have stated. There is no disputing the particular fact that this expenditure was made without authority, and that the Chief Engineer was absent for a great part of the time without giving instructions to the engineer in charge under him. There is another feature to which I would wish to call attention, and I think all the facts brought out in this report will confirm what I am about to state, that there appears to be no responsibility, but on the contrary a great deal of insubordination, and the most reckless extravagance in the Engineering Staff to whom such important trusts were left. The Engineer in Chief, among other facts brought out in this report, states that he is not under a salary ; and the Committee was left to judge for themselves what his relations to the Government were, beyond this fact that he expected to be rewarded for the work he performed. Now he must have occupied one of two positions. The natural and proper position, I think this House would say, should be that of a paid servant of the Government. I can hardly conceive any other position that a Chief Engineer could occupy with advantage to the country. The Chief Engineer states he had drawn no salary, that no salary was fixed, but that he expected to be rewarded for his work. This, I think, may be assumed to indicate a want of control. I can hardly conceive how a Government could control an engineer, who was merely an amateur at his work. The only other position that could be assumed is that he occupied the position which an architect occupies and with which I dare say many hon. members of this House are familiar, the position which an architect occupies who leads one on in an expenditure, beginning very moderately and going higher and higher.

SIR JOHN A. MACDONALD : Led on by a towering ambition.

Mr. McLENNAN : By a towering ambition, as my hon. friend says, by a far spreading ambition I should think, ending in a commission to be paid by the unfortunate victim upon the ultimate expenditure. There was a simpler method in vogue in former times, when a monarch or some potentate commanded a man of genius to build a palace or a tower, or a cathedral, and rewarded the builder

at his own sweet will, but we are past that method of doing things now, and the only alternative that I can see is the one to which I have referred. I think the House will agree with me that if the expenditure goes on in the manner it has been conducted so far, that the victim will have a grim vengeance over the architect in this instance; there will be no funds out of which to pay his commission. I hope we are not coming to that, however. We were told last year, and I gave great credit for it to my hon. friend the Minister of Railways, that we were to adopt a wiser method of proceeding in the extension of this railway. I do not know that it will be possible to reduce the expenditure upon the 400 miles from Thunder Bay to Red River. It is very near completion, but I fear there are yet some mythical figures of expenditure, even upon that portion of the road, that may result in serious realities; because there seems to be little control over it. The estimate of last year of \$18,000,000 may, for ought we know, grow to any further number of millions, and we can see no end to it. In this connection I would only state that the country has made a great mistake in undertaking to build what engineers call a first-class road, when the object was to reach, by the most rapid route, the country that it was so desirable should be occupied and turned to account. There can be no doubt at all that a wise beginning of this work would have taken us to Red River for a very much smaller sum than the amount that is now estimated, and that that would have been the true policy. But I think there are some features in this method of engineering and the manner in which this work is placed beyond the control of the Government that require a little more consideration. The hon. member for Lambton (Mr. Mackenzie), in his last statement under this head, stated as follows, which I find in the *Hansard* of 1878 :

“It is a gratification for me to be able to say that every step almost that we have taken in this gigantic enterprise has been taken with the concurrence of the Chief Engineer. We have so seldom differed in our opinions, even upon matters of policy, upon any course to be pursued, that I may fairly claim to have acted in harmony with his office throughout.”

Now, for a gentleman in the position of the hon. member for Lambton, these are very mild words. He rather claims the

honour of having succumbed to this great power behind the Throne. He claims to have acted in harmony with him, even upon questions of policy. Did the hon. member for Lambton invoke this great spirit into yonder tower of his building to settle questions of policy with him? We have to deal with another Government to-day, and I think this House will agree with me that the proper adviser of the Government upon all questions of policy in connection with that undertaking is not the Chief Engineer, or any body of engineers, but this House. This, I hope, will be conceded by the present Government, otherwise I could hardly support them. But a new departure was announced last year by my hon. friend the Minister of Railways—a change with which I concurred in common with the majority of this House. His statement reads :

“I think we must deviate from our original plan, and, in order to secure the rapid construction of this work, combine to a greater extent than originally intended, our progress across the great prairie country of the North-West, with a system of colonisation; and though that may add a few miles here or there to the length of the line to be constructed, it will carry it through the districts that will best afford a basis for rapid colonisation, upon which we can rest, and to which I look as the only means by which successfully, in our time at all events, one may be able to achieve the construction of this railway.”

Now, Sir, we have from the Chief Engineer some curious comments upon this new policy, and I think this House should read and ponder them in connection with the report to which I have referred. In a report dated 6th January, 1880, appended to the report to the hon. the Minister of Railways, we read :

“The Government having determined to change the location of the railway, west of Red River, so as to run south of Lake Manitoba, surveys were commenced early in the summer, starting from the western end of contract No. 14, at Selkirk; the line was run in a south-westerly direction, until it reached the fourth base line near to the penitentiary, thence along the fourth base line to the western boundary of the Province.”

Again, in a supplementary report of the 31st January, we have this information :

“An Order in Council has been passed (22nd January) adopting the line surveys from the western end of the 100-mile section now under contract (No. 48), and running in a north-westerly direction to a point in the neighbour-



hood of Bird-tail Creek. This completes the adoption of the line of railway for a distance of two hundred miles west of Red River."

Now, I would like much to know if we are going back to cross the Red River at Selkirk. The policy of carrying the road in a direct line westward from Rat Portage to reach the narrows of Lake Manitoba by crossing at Selkirk, has been discussed exhaustively, and I think this House was given to understand last year that project was to be abandoned; but I find a portion of it is cropping up here, and it is in the form of still crossing at Selkirk, and deflecting a little further south. Now, gentlemen who are familiar with this subject know the points involved in crossing at Selkirk. It involves an expenditure which has never been well defined, but has been spoken of as possibly from \$300,000 to \$500,000. It involves crossing Red River at one of the most difficult points at which it could be crossed, in the great breadth of the river and in the character of the ground. If it were necessary to cross the Red River at that point this might do. But the fact is that twenty miles of railway are now constructed from that point to the city of Winnipeg (part of the Pembia branch). The city of Winnipeg has set to work to build a railway bridge. In all the schemes of the Government, I believe there has been no idea of abandoning connection with Winnipeg, and the question now arises whether the Government is to undertake now this large expenditure of crossing at Selkirk, in order to make a straight line of a few miles of that road when it already has a road constructed to Winnipeg; and the city of Winnipeg has set about the construction of a bridge, I believe under the direction of the Government. The question is whether it is meant, as one reads it between the lines of the Engineer's Report, to return back to this system of taking a much increased time for the construction of an enormous bridge and a few miles of road, instead of adopting the more speedy method of going into the North-West and connecting with Winnipeg at the same time. I met some people in the North-West who are acquainted with this section of the country and I saw part of it myself. I met but one man in the North-West who advocated the crossing at Selkirk. The same engineer who is

responsible for the expenditure of \$930,915 without authority, is the only individual whom I met who advocated crossing at that place, and that gentleman still maintains that the true course for the Pacific Railway is by the Narrows of Lake Manitoba. Another passage in this report of 6th January, 1880, challenges our attention:

"Tenders were received on the 1st of August for the construction of 100 miles west from Winnipeg, and the contract (No. 48) was signed on the 19th of August. By the terms of the contract, fifty miles of the line are to be completed by the end of April, and the whole distance by the 19th of August next. The grading over this section will be very light, and the work will, for the most part, consist of track-laying and ballasting."

This report is dated 6th January. I know that that contract was let in August. I heard it was let before I returned from that country, and I heard afterwards that the contractor had gone up there to commence work. I was sorry to hear, however, that the Chief Engineer was sent after him to prevent him from going to work until after he had made a survey. The work stopped accordingly, and we are presented with this report of the Chief Engineer, under date of 6th January, and I am told that not a sod has yet been turned on that portion of the road. Now, it may have been necessary to stop this work, but I do not believe it. Some gentlemen who had not been upon the ground might think it necessary that the Chief Engineer should make a survey of this portion of the road before the work was finally let. I think it would have been an act of courtesy towards this House to have said in presenting this report that no work was done upon that road, and no work could be done before the end of April. Now, there was a little incident presented itself to me in going further westward. I stopped, as many other people do, at Portage La Prairie, which is a thriving little town on the Assiniboine, about sixty miles beyond Winnipeg. The Assiniboine has been navigated by steamers up to that point, and, for a portion of the season, for 200 miles beyond that, to Fort Ellice, connection is made by the river with a very extensive country southwards from the Assiniboine. A little town like the Portage, the second town in the North-West, does not grow up in a day any-

where. It has grown up there with infinite toil and labour, and is very favourably situated for growth, and there is not the least doubt that in the future it will become a place of considerable importance. The neck of land lying between the Portage and Lake Manitoba is about twelve miles in breadth. There is no doubt that at some future day Lake Manitoba will be navigated, and a railway running between the Assiniboine and Lake Manitoba will have to make connections with both these systems of navigation. In the meantime, one of these systems is established; that at the Portage, for the Assiniboine is now navigated, and if the connection must ultimately be formed with these two systems of navigation it would appear to the mind of a practical man who is no engineer that it would be a wise thing to run a railway as near as possible to one side of this neck of the land, that it might obviate the necessity of two branches. I was told there that a survey had been made, and that it would add two miles to the length of the road to make a deflection to the Portage. I think there were some concessions offered by the people of the Portage, but whether that was so or not it seems to me that true wisdom would decide at once that it would be wise to add two miles to the length of the railway and five minutes to the time of express trains, and thus deflect to this growing town and not put the inhabitants to the inconvenience of having to reach the railway six miles off, and ultimately the people of that section of country to the expense and continued inconvenience of keeping up two branches, one from each side, to connect with this railway. Now, as a question of engineering, of course the matter is very simple. Given these twelve miles between these two systems of navigation and it is a simple thing for an engineer to build this railway midway between these two bodies of water. It is a very easy thing. No great skill in engineering is required in making a straight line, with six miles on each side, to run over a perfect plain. The general question of a deflection (which is not a question of engineering) was settled by the hon. Minister last year, when he told us he would get into that country by the most rapid method possible, for the purpose of colonisation. The hon. Minister did not lay too much stress on that point.

Persons who have visited that country know that settlers going to the North-West are beset by many hindrances. Often they are stopped in their progress by the want of railroad facilities, and turned aside into Minnesota or Dakota. But, after the settler has been depleted in pocket on his way over the roads, if he succeeds in getting into Winnipeg, he finds himself in a wet country, and he is beset with great difficulties if he wants to go further. I know of one case in which an intelligent farmer from my own county, who, having fought through all the obstructions, found himself lodged in the mud in Winnipeg, and then turned back in despair to Minnesota. The hon. Minister did not overstate the case in the policy laid down last year. It is necessary to assist colonisation by the most rapid means possible. When the poor emigrant is inextricably plunged in the mud, and like the waggoner in the fable, appealing for help to get out, is he to wait while the engineer indulges in theories about the quickest route across the continent and the construction of a first-class railway. What the settler wants is to get into the country by any railway. It is much the same as if the starving population of Ireland were asked to endure hunger patiently until some gastronomic artist invented some dish to tickle the palate. But, with a difference, we may smile at the pedantry of the kitchen, but the pedantry of the theodolite and the drawing-board should make us tremble. I have no acquaintance with the engineers. I met one last summer, who told me that he considered the route up the Narrows of Lake Manitoba the best, the same whose extravagance and want of judgment is accountable for the outlay on Section 15. I do not want to say a word against a respectable profession, but I think that a false position has been given to the engineers in connection with this work. I will venture to make one suggestion to the Government. We are, I think, agreed that no strength of arm or power of brain will enable four millions of people to build that road and utilise the country, and that the object can only be accomplished by some means that will help to introduce a great number of people into the territory. The hon. the Minister of Agriculture appears to recognise his duty in this connection. He believes that those great

fields of the West are something more than a fabled elysium, and he adopted the course of asking farmers from the old country to come out and judge of their fertility. A number responded to the invitation; they came and went, and spoke well of the country. I think, and I hope the Government will excuse me if I suggest, that it would be a wise thing if the hon. the Ministers of Agriculture and Railways, who are responsible for the enormous expenditure necessary in connection with the system of getting into that country, would put themselves on a footing with those tenant farmers, by visiting the country themselves. It would not be all a work of pleasure. I dare say that they could take many summer trips more agreeable and convenient. They would have to travel over the roads traversed by the settlers, and they will hear a great deal that they cannot learn at home. They may hear mutterings of discontent that are never heard here. I am sorry that I cannot ask the right hon. the Minister of the Interior to accompany them, but if he did he would learn of a great deal of dissatisfaction. But those things are perhaps inevitable where officers of the Government are so far removed from control. I believe, however, that a great many faults could be remedied by the suggested visits of responsible Ministers of the Crown, who would be able to grapple with the difficulties which present themselves. Besides they would have their reward; for when the hon. gentlemen got beyond the mud of Red River Valley they would find not only a country of great wealth, but one of surpassing beauty, possessing every feature to make it a desirable residence for intending settlers of whatever degree or class. And I think that one result would be that, in carrying out this great undertaking of the Pacific Railway, we should no longer find engineers in the character of erratic advisers. I think we should find, if the practical observation of the hon. the Minister of Railways was brought to bear on this subject, those gentlemen would not be the advisers of the Government, but its useful servants.

SIR CHARLES TUPPER: No person can be surprised that in relation to a question of such importance as the construction of the Canadian Pacific Railway, involving, as it does, under any circum-

stances, the expenditure of an enormous amount of public money, gentlemen who are interested in the progress and prosperity of the country should at all times evince the most lively interest in the mode in which that work is being carried on, and the character of the expenditure being made upon it. I am extremely glad to find that an hon. gentleman so well qualified to bring a dispassionate judgment to bear on any public question, has had his attention drawn to this very important subject. My own practice, when sitting on the other side of the House, as hon. members will remember, has been to avoid raising, as far as I could, a number of questions upon the same subject, and I think the practice of the House has been to postpone the discussion of questions connected with the Canadian Pacific Railway until the Estimates were brought down, and the time of the House could be thus economised. I anticipated that that course would be followed this Session, and of course I would have been prepared, when the Estimates came before the House, to present a full statement of the views and intentions of the Government. But I am not at all surprised that the hon. gentleman felt it judicious, as it is undoubtedly his right, to anticipate the production of the Estimates by favouring the Government with his criticisms in advance. I may say that we will at all times be ready to receive suggestions on this question from any side of the House, so that we may be enabled to deal with it in the best manner for the general interests of the country. But I cannot go as far as the hon. gentleman has gone in intimating that the hon. Minister should accept the advice of any hon. gentleman in this Chamber as more entitled to consideration on this subject than that of the Chief Engineer. If that were done I am afraid we would not make rapid progress with the construction of the Canadian Pacific Railway.

MR. McLENNAN: I referred to the fact that the hon. Minister had been guided by the Engineer on questions of policy.

SIR CHARLES TUPPER: Then I am entirely in accord with the hon. member. The policy of the Government should rest on the mature judgment of the majority of the members of Parliament. I think, however, that the state-

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ment made by my hon. predecessor must be understood, not in regard to the policy of the work itself, but with respect to the mode in which it should be carried forward.

**MR. MACKENZIE:** That was with reference to the policy of the routes.

**SIR CHARLES TUPPER:** In the absence of a gentleman who has been so severely censured by the hon. member who has just taken his seat (Mr. McLennan), perhaps the House will allow me to make a few observations in reference to the position of the Chief Engineer. The employment of that officer, I believe, arose in this way. In 1862, if I remember right, a delegation, representing the Governments of Canada, Nova Scotia and New Brunswick, recommended to the Imperial Government a mode for the construction of the Intercolonial Railway, and also arranged that the survey should be made by an engineer appointed by the Imperial Government, assisted by one appointed by the Government of Canada, and one appointed by the Province of New Brunswick. Under that arrangement it became my duty as leader of the Government of Nova Scotia to resist the Government of Canada with my present colleague, the hon. the Minister of Finance, who was Prime Minister of the Province. At that time the Government of the late John Sandfield Macdonald was in power; and Mr. Tilley and myself were to confer with the Government of Canada in reference to the appointment of engineers for the survey. Mr. Macdonald told us he would name Mr. Sandford Fleming as his engineer. Being much better acquainted with the leader of the Opposition at that time (Sir Alexander Galt) and the late Sir George E. Cartier, Mr. Tilley and I consulted with them in regard to the efficiency of the gentleman named by the Government of Canada to preside over this important work; and the answer that we received from them was that if they had been in power they would have named the same gentleman. Mr. Tilley and myself, under those circumstances, decided that we would appoint Mr. Fleming ourselves, he being so highly recommended by both the great parties as a gentleman possessing their confidence to so great an extent. That resolution was communicated by Lord

Monk to the Imperial Government, with the request that they should name an engineer to act with Mr. Fleming, representing the Governments of Canada, New Brunswick and Nova Scotia. The answer of the Secretary of State was, that as those Provinces had selected a gentleman of such high attainments, and possessing so largely the confidence of the Imperial Government, they were quite willing to entrust their interests to his hands. Mr. Fleming was therefore engaged to conduct the survey and the work of the Intercolonial Railway. After Confederation, the construction of that railway was taken up, when the Government naturally selected Mr. Fleming, who had been engaged in making the survey and location of the road, as the Chief Engineer. When the question of entering upon the construction of the Canada Pacific Railway arose, my hon. colleague, the present Minister of Public Works, then Minister of Public Works, with the assent of the Government, asked Mr. Fleming to undertake the duties of Chief Engineer of that Railway as well. The question of salary then naturally arose. Mr. Fleming, as Chief Engineer of the Intercolonial, was receiving \$4,800 a year, the salaries of the Ministers then being only \$5,000; and it was not thought appropriate that a salary largely in excess of what the Premier was receiving should be given to a subordinate officer, whereupon Mr. Fleming undertook the additional duties, besides those connected with the Intercolonial, without any increase of salary. He continued to receive the salary of \$4,800 down to 1876, when that road was opened for traffic, and when, if my memory serves me, he resigned the office of its Chief Engineer. Reference has not unnaturally been made by my hon. friend the member for Glengarry (Mr. McLennan) to the fact that a gentleman dealing with such vital and important questions should have been a long time absent from the scene of his duties. I believe that under the weight of his duties, as Chief Engineer of the Intercolonial and Canada Pacific Railways, Mr. Fleming's health had broken down, when he asked from the then Minister of Public Works leave of absence for a year, which was granted, and the question of salary was in that way postponed. It would have entailed on this gentleman a great deal of mental anxiety, had he continued during his absence to charge himself with those

important questions connected with those railways. He therefore left in his place as his representative a gentleman with whom he had been associated and in whom he had confidence, admitted to be a good engineer, Mr. Marcus Smith, who practically became Chief Engineer while Mr. Fleming remained absent. Mr. Fleming was recalled once or twice by the then Minister of Public Works, (the hon. member for Lambton) in connection with questions requiring solution at his hands; but he did not return and resume the duties connected with his office until about the time I became Minister of Public Works. That is the reason why the question of salary remained in abeyance, and it had become somewhat complicated by the question—how much of the period of his absence was to be deducted from the time for which he should receive salary. The hon. member for Glengarry has taken up the question of great extravagance. Well, I have no doubt there has been great extravagance. I believe that any gentleman familiar with the expenditures in the North-West Territory, reaching away from the Rocky Mountains, and the enormous breadth of country and distances from Fort Simpson to Victoria that required to be covered, and the years of toil and labour involved in the decision of that most difficult of questions, the proper route for the railway through the Rocky Mountains and the other regions to be traversed. Any gentleman acquainted with the surveys and explorations, absolutely indispensable through 3,000 miles of country previously a *terra incognita*, and extending over a great breadth as well as length of country, will understand the enormous amount of expenditure absolutely necessary under these circumstances. It has been just that class of expenditure which every gentleman familiar with such expenditure knows to be almost beyond the control of the Minister or Chief Engineer. Necessarily a good deal of expenditure has taken place that it has been extremely difficult to check or follow; but considering the enormous distances dealt with, including that between Thunder Bay and Red River, the difficulty of finding a route at all through one of the most forbidding and impracticable regions, it will be understood that a vast expenditure had to be incurred—it could not well have been avoided. But the hon. mem-

ber for Glengarry has referred to a matter for which the Chief Engineer seems responsible, the great disparity between the estimates and expenditures actually incurred. I do not myself understand, and do not think my predecessor the hon. member for Lambton understands Mr. Fleming to be responsible for the statements made by that hon. gentleman to the House, in relation to the estimated cost of the railway for the 228 miles under contract when those estimates were framed. As I understand it, the decision to push forward the work, and the difficulty of getting careful and reliable surveys through that country, rendered it hard to form an approximate estimate of the expenditure. Immediately after I succeeded to office, I called upon Mr. Fleming for a full and careful estimate of the outside expenditure for the construction of the road from Thunder Bay to Red River. A good deal of additional information was obtained. I was obliged twice to postpone the time for the reception of tenders, because we had not sufficient information to warrant us in making a close and careful estimate of the amount of work that might be necessary. I state this fact as relieving Mr. Fleming from the responsibility of ever having committed himself to the statements which the Minister of Public Works of that day made to the House as to what he believed and hoped those 228 miles of railway would be accomplished for, and also the 105 intervening miles. If the hon. gentleman had an estimate from Mr. Fleming in relation to the probable cost, I am not aware of it; I state the matter as I found it. I may say now that I think I have some reason to complain of the somewhat severe strictures of the hon. member for Glengarry in reference to the administration of the Department, since I have had the honour of acting as Minister of Railways. I did flatter myself, that having devoted myself with the utmost assiduity to my work—having struggled since the first hour I entered office to accomplish everything in my power in the interest of the country in the most expeditious and economical manner—and I did hope that the work till the present achieved would have exempted me from such strictures on this occasion. But I will first deal with the

question of the great increase of expenditure on Section 15, of which the hon. member spoke as an indication of evident want of ability on the part of the Chief Engineer. As I understand it, my predecessor the hon. member for Lambton, long ago perceiving the importance, if this work was undertaken at all, of pushing it rapidly to completion, asked for contracts. I believe the returns he obtained showed the road would be of a character somewhat similar to that now under construction; and that the responsibility as to this application for tenders was so enormous, the amount asked for the work being so great, that he was reluctantly compelled to abandon it, and modify very largely the terms on which it was proposed to construct that section. While I agree with the mover of this resolution, that we should not undertake to construct the road with any view to the construction of a monument of engineering skill, or unnecessarily increasing the cost of the Pacific Railway, while that is the policy of the Government, I believe that the true interest of the country and the economy of the public money was properly aimed at by making the road from Thunder Bay to Red River, if not a first-class road, a thoroughly substantial one, and with grades of a very easy character, and for this reason it was to be an outlet to the whole North-West region for a great many years, the greater portion of it for ever, and the channel for all the traffic and travel between the North-West and the east; and in order that the work should be cheaply done, and a line of railway through one of the most intractable railway lines in the world—that between Red River and Thunder Bay secured—it was deemed true economy to construct the road of easy grades of a substantial character. Mr. Rowan is, I presume, the gentleman to whom the mover referred to as the engineer who had gibbeted himself as insubordinate, and recklessly extravagant in the discharge of his duty. I do not intend, or think it necessary to defend him; but I do not think it fair to place a larger amount of responsibility on his shoulders than appears just. Whatever his qualifications, he was appointed by the late Government in charge of the work extending from Red River to Cross Lake,

**Mr. MACKENZIE:** He was appointed before our time.

**SIR CHARLES TUPPER:** He was appointed Engineer of the Department by the former Minister of Public Works, my hon. colleague; and was subsequently transferred from it, I have no doubt, under the advice of Mr. Fleming, and placed in charge of that part of the road. As to Mr. Rowan's course, he made a report to the Minister of Public Works, or to Mr. Marcus Smith, recommending that certain trestle-work provided in the contract should be abandoned and solid embankments substituted, giving as a reason the very inferior character of the wood in that section, which would soon become rotten—stating that by the time the road was fairly completed the trestle-work would have to be renewed, if not burned up by the fires to which it would be exposed. My hon. predecessor the member for Lambton himself entertained the opinion that it would be sound economy to have that change accomplished. Mr. Fleming, who was here at the time entirely concurred in the opinion of Mr. Rowan as to the advantage of the change recommended, and the then Minister of Public Works received Mr. Fleming's Report. Mr. Rowan went back to the service on the road and Mr. Fleming went to England under the impression that the proposal commended itself to the Minister as was to be carried out. The Minister of Public Works reported it to the Council, but no action was taken on it. But down to the hour of my assuming charge of the Department, all the officers supposed the suggestion had been adopted, and Mr. Rowan assumed he was carrying out a policy authorised by the Department, and therefore he is not responsible to the extent the member for Glengarry supposes for this increased expenditure. When I took up this question during the past season, I found that not only the engineer but the contractor had been led to believe that this change had to be carried out. We ourselves were satisfied to believe that the opinion of the Chief Engineer was right, that it was a desirable improvement, and an order was passed that it should be carried out; and although there would be a large increase of the expenditure, I believe the change is in the public interest, and that it will mean economy and not extravagance in the end. I feel it my duty to say in relief of this subordinate officer, Mr. Rowan,

that he supposed he was carrying out the instructions of those in authority over him. I may state that before the return of Mr. Fleming from England, Mr. Marcus Smith was sent out by my predecessor to go over the whole of this work. He went over it with Mr. Rowan, and they both assumed that embankment was to be substituted for trestle-work. Now I came to a point on which I think my hon. friend has hardly done justice to myself. I was under the impression that if this Government was able to boast of anything that would entitle them to favourable consideration not only on the part of their friends in this House, but to both sides of the House and the people of the country, it was the energy with which they had pushed forward the most important work in connection with the Canadian Pacific Railway. We believed that it was of the most vital importance to the public interest that not an hour should be lost in filling up this gap of 185 miles between English River and Keewatin. Without this, the money expended upon this road was entirely thrown away. We did not expect our estimates to be exceeded. I may state that I believe that in the progress of the work we shall be able to make larger reductions, and that both the contracts will be completed within the specified time, and largely within the amounts at which the contracts have been taken. The hon. gentleman severely criticises Mr. Rowan for his want of judgment in still adhering to the declaration that the location of the road to the Narrows of Lake Manitoba was the most judicious one. I think the hon. gentleman can hardly deal so severely with an officer in Mr. Rowan's position when he knows that my predecessor holds that opinion now. The hon. gentleman, I suppose, felt pleased that this Government, in the public interest, determined to bring the line of railway south of Lake Manitoba, instead of carrying it out according to the original line. There was a great deal of reason why the original line should be preferred. It was stated to be thirty miles shorter than any line we could obtain by coming south of Lake Manitoba. I hope, however, to be able to shorten that to twenty instead of thirty miles. We believed it to be necessary in the public interest to push forward this work rapidly to completion for the purpose of accomplishing the end

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my hon. friend has mentioned, that of building up this great North-West Territory with a great body of enterprising and industrious people, who can assist the four millions in the other sections of the Dominion in the payment for the construction of this great work. It would be madness and folly for the present population of Canada, in addition to the burdens it is compelled to bear, to undertake such an enormous expenditure unless we believed that by that expenditure we could obtain an accession of population that would help to remove the liability so incurred; and, in the second place, that, by the construction of that road, we could throw an enormous body of industrious people into that country for the purpose of building it up and developing the great resources of the Great North-West. If my hon. friend understood me to commit myself to the policy of bringing the Canadian Pacific Railway twenty miles from Selkirk to Winnipeg, and seventeen miles back to the main line, I must tell my hon. friend that he entirely misunderstood me. We never proposed to bring the line round by Winnipeg. The proposal I made to the House was utterly inconsistent with such a view. If that had been our object, we would not have had a branch line to Winnipeg. It would have been the main line there, and we would have gone off in a north-westerly direction from Winnipeg. It is only necessary to glance at the map in order to show that such a project could not have been entertained. Winnipeg offered, if we would give them a branch line, that they would find means of bridging the river at Winnipeg. The terms of the agreement to use that bridge for the purpose of the Canadian Pacific Railway will enable us to postpone for some time, not indefinitely, the expenditure that will be involved by building a bridge on the Canadian Pacific Railway at Selkirk, or at whatever point may be considered best. I do not agree with the view the hon. gentleman takes as to the unwisdom of bridging the river at Selkirk. I have gone into this question very exhaustively, and it is very doubtful whether it would not be in the interest of the country to run across there and take the line some sixteen miles, running a little southerly from that point to connect with the main line. It is a very convenient point

for the connection with the navigation with the lakes and it is a point at which no question can arise as to any obstruction which can be given to the river. The Government possess at that point 1,000 acres of land which we believe would become very valuable if we were to cross the river there. It would be of much less value if we were to cross it at a point higher up; at the same time we may say this is an open question. The stone required for the construction of a bridge at Winnipeg is to be found on the land owned by the Government at this point, and therefore a great expense would be saved in finding the material required for the construction of the bridge on the spot. It is an open question as to where the Red River shall be bridged, and we feel that we may postpone for a time the construction of the bridge and expend our resources in constructing the road where the expenditure required would be the smallest, and where the greatest amount of good would be done in opening up the North-West Territory. I did plume myself upon the belief that for a Government that had only been a few months in power to have changed the policy of the late Government in respect to the location of the Canada Pacific Railway by the Narrows of Lake Manitoba; to have received the assent of this House to that policy; to have a hundred miles of this road now under contract, and which we have every reason to believe will be completed and in running order before twelve months are over; to have another hundred miles surveyed and tenders wanted for its construction; to have had all this done, not at the enormous figures which alarmed the hon. gentleman, but at a cost of a little over \$10,000 a mile for the first 100 miles, a sum not greatly in excess of that for the additional 100 miles—I did hope we should have received the plaudits and encouragement of my hon. friend instead of having it intimated that we have been laggards in our duty. My hon. friend has pointed out that in regard to the contract let to Mr. Ryan, west of Red River, the first sod has not been turned. That is not the fault of the Government; Mr. Ryan has never been delayed one hour by the want of a location or a survey of that route. The first moment that he came upon the ground he had the place

pointed out where we proposed to commence the construction of the branch. He was instructed where to commence, but he was not prepared to do so. My hon. friend's remarks would give the House an impression that nothing has been done; but a great deal has been accomplished. The Red River has been bridged on the ice for the purpose of getting locomotives over. That is one of the first necessities in the construction of the road. Then Mr. Ryan could not obtain any ties, but the Government furnished what were necessary. There was not only no detention as far as the Government was concerned, but we assisted him in every way in our power. We have reason to believe that, if we accomplish what we think we can accomplish, we will be able to make a very fair contrast with anything that has been done by our predecessors; and, as to his complaint that the information is not brought down earlier, I may state that it is unavoidable. In the system we proposed to the House, we asked for an appropriation of 100,000,000 acres of land to this work. One of the most important features connected with that was to obtain as rapidly as possible information, which information was not in the possession of the Government or any man in this country, information in reference to the character of those railway lands in the North-West. Parties were sent out for the purpose of exploration. They have returned, and are now making up their reports in a shape to be submitted to the House. I believe that information will be found to be of a very satisfactory and assuring character. It will be found that, instead of having overrated the character of the country, the most sanguine views in relation to the fertility of the Great North-West will be more than borne out by the positive information we will be able to lay before the House on the subject. I do not intend to detain the House further than to thank my hon. friend for his friendly criticism, and to invite suggestions from hon. gentlemen on the other side of the House, although they may not be offered in the same kindly spirit as those that have been offered; and, if any suggestions are made by which we can more rapidly execute this work or perform it with a greater economy of public money, I can only say, as one member of the Government and as



Minister of the Department, that I shall be exceedingly gratified.

MR. MACKENZIE: I desire to refer for a few minutes to some matters mentioned by the hon. gentleman who moved for these papers. I concur with that hon. gentleman in speaking as he did of the result of the engineering, and in regard to the expense in carrying out the works. No one was more disappointed than I was to find that the estimates of the engineers, upon which contracts were let, were so far from an approximation to the truth. No one in my position could have doubted that the estimates presented of the quantities would approximate to the truth. It was as likely that the ultimate quantities reached in some cases should be over the estimated amount as that some should be under the amount; and, in making the estimate, I assumed that the quantities given by the engineer would not, on the average, be exceeded; and, if not exceeded, the expenses would be exactly what I stated in that speech to which the hon. gentleman refers. I need not say anything further with regard to this. He thinks every Minister ought to have strong suspicions of the character and ability of the engineers he employs. I am not an engineer myself, and I felt constrained to confine myself to the advice of those to whom the Government had entrusted their interests in that capacity, with this reservation always that, if I found any such engineers unreliable from careless habits, or something worse, no time should be lost in dispensing with their services. Sometimes engineers' services were dispensed with, and they were immediately re-employed by our successors when they took office. With regard to Mr. Fleming's position, I have personally very little to add to what has been stated by the hon. gentleman opposite. I felt that it was an erroneous position for him to serve the Government without a fixed salary. I believe I fixed his salary at the rate he had on the Intercolonial Railway. It was then stated, as a reason for fixing it at \$4,800, that the Premier had said that to give more would be making it higher than the Premier's salary (\$5,000); but, knowing Mr. Fleming's ability as an engineer, I wished to fix it at what I conceived to be a reasonable amount in view of that ability.

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SIR CHARLES TUPPER: But the difficulty was removed before; for the salary of the Prime Minister was increased.

MR. MACKENZIE: Yes, that is quite true. I did not feel myself capable of gauging the capacity of Mr. Fleming as a civil engineer; he was possessed of the qualities of an author as well as those of an engineer, and there was a great degree of importance to be attached to the ability, which as an author he possessed, in preparing and presenting reports, so as to make his views sufficiently known to the Government and the public. Looking back on my five years' term of office, I would be prepared at this moment to endorse nearly all that was done under Mr. Fleming's direction, making allowance for difficulties which could not be foreseen. I am bound to say that during all these five years there was very rarely, if ever, any serious difference of opinion between us. I judged as far as a layman could judge on engineering points; matters of policy referred to by the hon. member for Glengarry had, no reference to the manner of building the road, or the question of completing it within a specified time, but solely to the selection of a route. It was long a matter of controversy whether that road should pass south of Lake Manitoba and thence towards Fort Ellice or Fort Pelly, or whether it should take a more northerly route; and upon that I discussed the policy freely with Mr. Fleming and all the other engineers who had been there. Now my own views have never changed in that matter since our decision was made. I was at first prepossessed in favour of passing through that part of the country most likely to be settled first. Many arguments could be used that it would be difficult to controvert in reference to that course. We were building a great National highway, not expecting it to be completed for many years, but exercising a great influence on that country through which it was to pass as well as on Canada generally; and I thought it best that a direction should be taken consistent with its passing through the largest amount of arable land, and with the view of its ultimately reaching the Pacific Ocean in the best place. The route chosen by Mr. Sandford Fleming passed by the Narrows of Lake Manitoba and on to Livingston, and thence by the shortest route towards

the pass in the Rocky Mountains. It was the best route; I have no doubt about that now. The hon. the Minister of Public Works referred to a statement in one of my speeches, that if we went south of Lake Manitoba we would have to expend about a million dollars more, while the road would be thirty miles longer. The hon. gentleman expects to find a route only twenty miles longer. Mr. Fleming gives various figures, according to the particular route to be adopted, on the south of Lake Manitoba, varying from twenty to forty miles; but if the most direct route were chosen, it would only be about twenty miles longer.

SIR CHARLES TUPPER: And it has been adopted.

MR. MACKENZIE: It has been adopted the hon. gentleman says; but it has been adopted without very exact measurements having been taken. It is impossible that during the last season exact measurements can have been taken, for the purpose of getting the exact distances ascending and descending declivities, which in this particular part are of such a nature as will necessarily lengthen the line to a considerable extent—how much I do not know—but this induced Mr. Marcus Smith, in the original survey in that quarter, in 1877, to report its impracticability. That line crossed one deep valley at such an angle as resulted in lengthening the line nine miles in order to reach reasonable grades. In order to determine the results that the hon. gentleman refers to as probable, there must be a minute survey of at least thirty-three or thirty-five miles of land abounding with curves, and with grades averaging from thirty-two to fifty-three feet to the mile. An engine going over it will be ascending and descending the whole of the distance. If built upon this plan of having steep grades, it will prove a great obstacle to the traffic, the great bulk of which is towards the east. We may presume that an engine will easily carry as much traffic as can be found going west, as can be carried on cars fully loaded going eastward; but if we attempt, for the sake of cheapness, to take this route with grades from forty to fifty-three feet to the mile—there is one coming eastward of fifty-three—I look upon it as a very serious matter, and I think it would be better to lengthen the

road even thirty miles so to avoid such steep grades. If it should go in that direction, the grades will operate seriously against every part of the road, making the traffic dearer to the Government or to the people sending freight over it. Take an illustration. You will observe by a careful analysis of the Government reports that the Intercolonial Railway engines take fifteen or sixteen cars to the train; sometimes when the road was in its best condition they took twenty. The Canada Southern Railway, on the other hand, has no grade exceeding fifteen or eighteen feet to the mile, and that a very short one, and the engines are able to take forty to forty-five cars to the load. Last summer I took the trouble to count the cars on three trains; I counted on one forty-one cars, on another forty-four, and on a third forty-three. Now, if we have steep grades such as those I have referred to on the Pacific Railway, it would cost nearly twice as much as it would with more favourable grades. The late Government adopted Mr. Fleming's views, because as the route he recommended from Lake Superior to Lake Manitoba there were no grades exceeding twenty-six feet to the mile coming eastward, and forty feet going westward. So far as policy is concerned, I do not think I need say anything further. The country is committed to the southern route, for weal or for woe; and, whether wise or unwise, the thing appears to be fixed upon. I was struck with a remark in Mr. Fleming's last report on this part of the line, which seems to indicate that this road is to be a temporary one—a colonization road—and shadows out the idea that it is only a loop line, and that the original line is not entirely abandoned. Mr. Fleming says:

"I would advise that the latter line be located as a cheap service line; that deep excavations, high embankments and heavy work with the view of securing low gradients, be avoided. That the great aim be to have the rails laid through the district with any reasonable gradients and curves that can be worked by light trains—of course taking care that the best alignment and gradients, which the peculiar features of the country will admit of, be secured without unnecessarily increasing the expense. I would aim at having as useful a line as can be had, and as cheap as it is possible to make it."

It is simply impossible to make a good line a cheap line in a rough country. Mr. Fleming proceeds:

"The length of this line would be somewhat increased by taking the course suggested. This would be a disadvantage more than compensated, it is considered, by the greater breadth of fine country rendered available for successful settlement. The line, besides answering colonisation purposes, would connect west of Livingston with the line located to Yellowhead Pass, and would afford facilities for construction and settlement, in the direction of Edmonton, and as far as the prairie region extends."

If this is simply intended as a colonisation line; if building it with these high grades and sharp curves is to be carried out, then a great mistake has been made, unless the Government have determined to build two lines, to which I would take very serious objections. In regard to the Pacific Railway, what hampered the late Administration was a determination not to expend the money of the great mass of the people in the east simply to secure a compliance with a foolish engagement with a few people in the west. This caused a hesitancy in many things. The hon. gentleman opposite, the present Minister of Public Works, has very properly relieved me in regard to the matter of extra expenditure on Contract 15. The facts are simply these: On the 22nd of May, Mr. Fleming sent in a report—he left for England next morning—recommending that Mr. Whitehead's proposal for replacing the trestle-work with solid embankments should be adopted, at an extra expense of about \$260,000. That was considered by myself and colleagues informal. We had some discussion on the subject, and I decided at last to refer the matter formally to counsel. So I signed the following submission:—

"The undersigned submits the accompanying Report of the Engineer-in-Chief of the Canadian Pacific Railway, upon the proposal of the contractor for Section No. 15 of that Railway, to complete the roadway with permanent rock and earth embankments throughout, in lieu of the wooden trestle-work originally proposed for portions of the line."

The counsel did fully consider the matter, and determined to adhere to the original plan for the works. I was quite surprised when I heard of the work being proceeded with on the new plan. It may be the best, as the hon. gentleman says, but our object was to build the road as cheaply as possible in that extremely difficult part of the country, and to use the timber for the structures which would be sufficient to carry the traffic for ten or twelve years at all events, and fill it up with earth afterwards. One strong reason why Mr.

Fleming recommended a change was the great danger of fire, and that was a very serious consideration no doubt. A very large proportion of the expenditure incurred recently was in filling up the lake at the west end on Contract No. 15, and at the east end on Contract No. 14. I have been informed by parties on the spot that it would have been quite easy to have obtained a passage round the side of the lake at a small cost. I may, however, be misinformed. Circumstances have arisen in the course of the construction making it impossible to avoid certain heavy expenses. For instance, in crossing one of the swamps or muskegs on Section No. 14, it was not foreseen that it would spread out a great deal, and was besides subject to the action of water and frost. This caused an enormous expense in the filling up of the roadway on Section 14. Now, with regard to the statement as to the quality of the road. It will be observed in the speech which the hon. gentleman has quoted, I think it is in other speeches of mine, that I never stated that the road was equal to the Intercolonial Railway. I stated that it was equal to the Intercolonial Railway in all but bridge structures; that in the Pacific Railway, in order to obtain the construction as cheaply as possible, in the first instance, I thought it advisable, and the engineers concurred in that opinion, that we should make the bridges of wood, to be renewed gradually after they had served the original purpose. But the quantity of bridging is so very small compared with the length of the road, that, after all, it will not be a serious matter in the future. The bridge across the Winnipeg River it was always my own intention, and I presume it is the intention of the present Administration, to have it constructed of iron. The hon. the Minister of Public Works says that he took good care not to let the 185 miles in the centre district, between Thunder Bay and Selkirk, until he had caused an exhaustive survey to be made.

SIR CHARLES TUPPER: I did not say exhaustive.

MR. MACKENZIE: I was about to say that there is some misapprehension about that, as the hon. gentleman came into office about 1st November, and tenders were received in January, and it was quite impossible for him even to send

the directions and get the answer back, much less to get any surveys made.

SIR CHARLES TUPPER: I said I postponed it twice for the purpose of having the most accurate statement of work to be done.

MR. MACKENZIE: I have no doubt that is quite correct. I was about to call the attention of the House to the fact that in addition to the original location survey of this portion of the line from English River to Rat Portage, Keewatin as it is now called, I caused four parties, if I recollect right, to be sent out in order to make another more careful and more accurate survey, with a view at once of shortening the line, lessening the work as much as possible and correcting quantities. We know that in passing through a woody country like that it is extremely difficult for engineers in one season or two seasons to examine the country so as to obtain at once the best line. One can have no idea of a country like that, it being almost impossible to see anything of it except what one walks over. I have been in parts of these woods myself and know the difficulty. There are no eminences to climb and the view is so obstructed by trees and shrubbery that it is a matter of the greatest difficulty to obtain a careful and accurate view of the country. Parties were sent out early in 1878 in order to re-survey the line which had previously been located. Reports were made by these parties and the hon. the Minister of Public Works before letting the contract in the January following. I have no doubt but what these reports were comparatively much more accurate than any that had been previously received. We have even reason to believe that the work on the eastern prairie part of the country would be exceedingly light, that it would be exceedingly light in most places in the western part. By the route originally determined, the work would be remarkably light to the crossing of the Saskatchewan. It will not be so when the southern line is adopted; and no doubt other difficulties would arise between Selkirk and the Narrows, and the portion of the country near Carnarvon, west of the Narrows, as we found that there were conflicting accounts about the depth of certain morasses which existed on that part of the line. That was one

part that would have to be re-examined before it was let out for contract, to obtaining the most accurate information on the subject. The late Government did not contemplate proceeding further with that or any other portion of the line west of Red River until Parliament had been consulted about the policy of rapid extension at the expense of the Government. They were rather disposed to consider the propriety of rigidly adhering to the policy of building at such a rate as the resources of the country would afford, at the same time affording facilities for the formation of colonisation roads in other directions, which would be undertaken to a great extent by the inhabitants who were passing into the country.

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

### After Recess.

#### PRIVATE BILLS.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 45) To incorporate the Great Western Telegraph Company of Canada.—(Mr. Ryan, Marquette.)

Bill (No. 46) To incorporate the Winnipeg and Hudson's Bay Railroad and Steamship Company.—(Mr. Bannerman.)

Bill (No. 47) Respecting the Great Western and Lake Ontario Shore Junction Railway Company.—(Mr. Carling.)

#### PRIVILEGE—THE MEMBER FOR LENNOX.

House resumed the adjourned Debate on the proposed motion of Mr. Casey:

"That the petition of Thomas Anderson and others, praying that Edmund Hooper, Esq., member for the Electoral Division of Lennox, be declared an unfit and improper person to represent that Electoral Division in this House, and for other and further relief, be referred to the Select Standing Committee on Privileges and Elections, with instructions to that Committee to enquire into the allegations contained in the said petition, and report thereon to this House."

MR. HOCOPER: Before anything is said in reference to this, I beg leave to read to the House the following statement:—

1. A Commission was issued, under the Statute of Ontario, to investigate the financial affairs of the County of Lennox and Addington, of which I was then the Treasurer, and had been since 1863. Said Commission commenced its labour on 20th Oct., 1879. The petition purported to be signed by thirty-two rate-payers, as provided by Statute of Ontario.

2. A copy of said petition was obtained by the Warden of the County. The Warden and Council having been totally ignorant, prior to this, of anything as regards the Commission having taken place. On enquiry it was found that several of the parties whose names were on the petition stated that they had never heard of said petition, nor had they signed it, and six or seven of them made their solemn declaration under the Statute to that effect. Those declarations were, by the Warden, sent to the Attorney-General, with a notice that the County would refuse to pay the costs of said Commission.

3. I am satisfied that the report of the Commission is untrue in point of fact. The Commissioners also made quarterly "rests" on yearly balances and compounded the interest on balances (and on all other items they report upon) at the rate of fourteen per cent. per annum, over \$20,000 of the sum mentioned in the report being interest.

4. I am personally not aware of any deficiency in my accounts, they having been duly audited every year by competent auditors appointed by the County Council and accepted by said Council.

5. The said report was rejected by the County Council by a vote of fifteen to six, and a resolution was passed giving my sureties and myself time to make a thorough and complete investigation of the whole of the accounts from 1863 to December, 1879. Again, the Commissioners did not investigate all my accounts, leaving over \$20,000 of receipts and expenditures out of the report, so that it was impossible for them to report correctly.

The above investigation, as authorised by the Council, is now in progress and progressing, and it is unfair to make this charge until the investigation is accepted or refused by the County Council.

6. The County cannot under any circumstances incur any loss, as it is amply secured, and further my sureties were present at the last meeting of the Council, and notified them that if, on the final investigation, there was any deficiency, that they would at once pay it; in short, that the County would not be at any loss. This was accepted by the Council.

7. This being a local affair, and still being an open account, I cannot understand what this Parliament has to do with it, or how it can be within its jurisdiction.

8. I am satisfied this attack on me had its origin in political malice, and from the date of my nomination as a candidate to the present I have been persistently and ruthlessly persecuted, not only as a business man, but also as a private individual. In short, the whole affair is purely and simply political spite.

Mr. Hooper then withdrew from the House.

MR. CASEY: As the hon. gentleman at the head of the Government does not seem inclined to proceed and to make the elaborate defence, which I am aware the Government, or some other friends, have prepared in this case, I may be permitted

to add some remarks to those I made on a former occasion. I have not had time to carefully study the document which has just been read to the House, as it has just been put in my hands; but so far as I can see there is nothing in it to affect the charges made. I must first recapitulate briefly my former statements of the case. It was to this effect: That the hon. member for Lennox was sometime Treasurer of the county he represents, and that suspicions having arisen as to whether his accounts were exactly straight, a Commission was applied for under the Statute of Ontario applicable to the case, to examine into his accounts. That Commission was appointed, and had the authority to compel the attendance of witnesses, and examine them under oath. The Commissioners appointed a time for the enquiry. Mr. Hooper asked for an adjournment, in order to prepare for his case. An adjournment for a month was granted; but when the Commission sat, Mr. Hooper refused to attend its sittings, and challenged its legality. For two months the Commission was in session. They were furnished with such books and papers as the Treasurer saw fit to lay before them. Many books, which a County Treasurer ought to have, were found missing, and he could not supply them. The auditors who should have examined the books, and other witnesses, were called. Mr. Hooper was requested to explain certain matters, but he refused. The Commissioner deduced from the evidence that Mr. Hooper had misapplied the funds of the county to the extent of over \$32,000. The balance against him was \$50,000, but the Commission thought the difference might be accounted for by circumstances in Mr. Hooper's favour, which were probable, but were not proved. The Commission reported this to the Government which appointed them. In order to show what credit the report received, I may note the fact that one at least of the sureties of Mr. Hooper, as I am informed, offered to pay up the amount of his suretyship in full to the county. Mr. Hooper, however, applied to the County Council for the opportunity to go over the books again, and to have the matter re-opened before themselves. Having refused to appear before the Commission, he asked to be examined by a friendly tribunal, composed chiefly of his own friends, who could not send for

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witnesses or examine them under oath. I understand that this permission has been granted, and we are now asked to pause on the ground that the question is still *sub judice*. I think, however, that the majority of the House, in view of the fact that the Commission made its report after the proper examination of witnesses, will be inclined to think that the matter was *sub judice* while the Commission was in session, and that that was the time for him to make his defence. I do not contend that Mr. Hooper is in the same position as if he had been convicted before a Court, but I contend that the report of the Commission makes a strong *prima facie* case against him—sufficient, at all events, to warrant the Committee on Privileges and Elections enquiring into the law, and deciding what proceedings should be taken in the case. Such an enquiry does not involve the expulsion of the hon. member for Lennox. The Committee might report that the charge was not made out, and that such and such a course should be taken. That, Sir, is the charge. If anything else is advanced by hon. gentlemen opposite, I will have the opportunity to reply, but it would be rather unfair to expect me to reply to this statement without having read it. During the brief time I have had to examine it, however, I noticed several inaccuracies, or statements contrary to facts. The hon. member opens his statement by a reiteration of his contention, that the Commission was not legally appointed. I believe he made that protest to the Attorney-General, and I think that the report of the Attorney-General as to the legality of the Commission, would be worth more than that of the late Treasurer of the County of Lennox. The hon. member also states that some of the signers of the petition disallow their signatures. How true that may be, of course, we cannot decide here. He states, further, that he is satisfied the report of the Commission is untrue in point of fact. That is a strange statement for a man who refused to appear before it, and who expects the House to believe such a charge on his own *ex parte* statement. He says that he is personally not aware of there being any deficiency in the accounts, since they were duly audited by the proper officials every year. One point of the report virtually contradicts this.

It declares that the accounts were not duly audited each year; that the auditors did not take the books and compare them with the vouchers. The statement that the "report was rejected by the County Council" has nothing to do with its truth or correctness. "The investigation, as authorised by the County Council, is now in progress, and it would be unfair to make this charge until the investigation is accepted or refused by the County Council." That is to say while the friends of the gentleman are conducting an *ex parte* investigation, we must pay no attention to the report of a *quasi* judicial tribunal which has already sat on the case. There is one point here which I must notice. The statement says: "This being a local affair, I cannot understand what this Parliament has to do with it." That is perhaps the only point of any consequence. It implies what may be called a constitutional heresy. The right of this House rests on the inherent right of the Parliament of Great Britain, all of whose privileges we possess, to expel any person whom they consider unfit to sit amongst them. There need not have been any formal conviction of the member; they expel him on moral and not on legal grounds. It does not matter whether the gentleman has sinned against the County Council or against an individual. If he is found guilty of fraud, it is the duty of Parliament to cleanse its skirts by expelling him if they are satisfied that he has so sinned. All that Parliament requires is some satisfactory proof that the crime has been committed. I do not pretend that in laying this motion before the House I am submitting any crushing proof of the hon. member's guilt, but I think I am presenting such a *prima facie* case as the House, if it has any respect for its own dignity, cannot disregard.

MR. KIRKPATRICK: The hon. gentleman (Mr. Casey) is taking a course which affects most seriously the standing of an hon. member, and it becomes us to consider very carefully the proceeding we are asked to take. Whatever we do to-night we must remember that we are acting in a judicial capacity and creating a precedent one way or the other. It behooves us to consider carefully whether the evidence will warrant us in sending this case to the Committee on Privileges

and Elections for investigation, and whether it is a proper case to be so referred. The hon. member has said he would not send a case for enquiry unless on sworn testimony.

MR. CASEY : I said that when a case was backed up by sworn testimony I would send it.

MR. KIRKPATRICK : Oh, then the hon. member would not send it unless it were backed up by sworn testimony. The present case affects an hon. gentleman voting with the majority, and the majority ought to be careful to act in a calm, impartial, judicial way, and to remember whatever is done, if we act harshly or in a manner inconsistent with Parliamentary principles, we establish a precedent which might sometimes act against a member of the minority. The petition is a very simple one, and one that might almost be presented against any member of this House. It states that until lately Mr. Hooper was Treasurer of the County of Lennox. There is no harm in that. That is not a cause for reference.

AN HON. MEMBER : It is the cause of dispute.

MR. KIRKPATRICK : An hon. gentleman says it is. It is not because he was treasurer but because, perhaps, he is member for Lennox, and defeated a prominent member of the Opposition, that there is such an anxiety to proceed in this matter. The petition does not say that Mr. Hooper has been guilty of any criminal offence, or of any fraud or misconduct, but simply that he is indebted to the county in the sum of \$32,000 and upwards ; and subsequently, it is stated, he has become an insolvent. That is not a case for the expulsion of a member, because the Statute requires no property qualification in a member ; and so long as a man is sent here by his constituents, bears an honourable character, and is not found guilty by any tribunal of fraud or misconduct, he is a fit and proper person to represent it. The mere fact of his being an insolvent, or has been forced into the Insolvent Court, is no reason for referring his case to a Committee with a view of expelling him from this House. Taking the people of this country generally, a man who fails to pay a debt is usually described by his creditor as having defrauded him. I have no doubt there are hon. gentlemen in this House against

whom a petition might be presented, perhaps by thirty persons, alleging that they are indebted, and claiming that they have defrauded their creditors. Are we going to put the whole of the machinery of this House into motion in this case, to enquire into the financial condition of the counties of Lennox and Addington simply on the allegation that these people have been advised and believe what they assert. If we do that, we shall be exercising the great power committed to us in the most tyrannical manner. Let us remember that "It is a great thing to have a giant's power, but it is tyrannous to use it like a giant." We must be careful that we do not strain our powers to render more uncomfortable the position of any hon. member against whom such charges have been made. Let Mr. Hooper's accusers present an indictment against him in the Courts, and if he does not appear for trial, let the indictment be brought to this House ; and I do not think there is any hon. member on this side, any more than the opposite, who will defend him or say he should retain his seat. What is the course pursued in England ? We are not without precedents. Many years ago there was a case against Lord Cochrane, and a motion made to expel him. Lord Castlereagh said it never had been held that an expulsion could rest on any other ground than that the member accused had not delivered himself legally from the legal charge, and that, therefore, he was not a fit person to remain. In the present case no complaint has been brought into Court. Mr. Hooper has not fled from justice ; he is here in the House. I come now to the English case of Hunt, against whom, in 1811, a Commission connected with the Ordinance had reported he was indebted to His Majesty. He wrote a letter, partially admitting his guilt, did not attend in his place, and was expelled. He had not been found guilty, but confessed his guilt. In the present case there is no such confession. The case of Sadlier, in 1856, was one in which he was charged with fraud and misconduct and breach of trust, which rendered him liable to criminal prosecution. An indictment was found against him at the Clonmel Assises. He did not attend to take his trial, and a motion was made in the Commons by Mr. Roebuck to expel him, on the ground that they wished to free themselves from

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the companionship of a man who had disgraced himself in the eye of the nation. A Judge had, moreover, declared him guilty of gigantic frauds; it had been stated in a judicial judgment that those frauds had resulted from a conspiracy; that the charge had been embodied in information; that warrants had been issued; that indictments had been found by the Grand Jury which Sadlier did not appear to answer; and he had neglected to attend in his place in the House when ordered to do so. Did the House of Commons of England act on that occasion? No, they even then said they were taking a grave proceeding, and notwithstanding that the indictment was on the Table and before the House, they said they should allow him ample time to appear and answer the charges, and the motion was actually laid over until the next Session. No proceedings were taken; the House refused to expel him, and by an unanimous vote left the matter over. In the next Session, the case was again brought up, evidence was given to show that Sadlier had been served with an order to attend in his place and make answer, and that he was a fugitive from justice; and he was expelled on the ground that an indictment had been found against him, and that he had fled from justice. Was there any such feature in this case? Why then try to prejudice this case at this time? The member for East Elgin (Mr. Casey) read some documents not on the Table, and which we know nothing about. We have no sworn testimony in this petition.

MR. CASEY: The paper is here.

MR. KIRKPATRICK: The hon. gentleman knows we cannot take notice of it in that form. We are acting in a judicial capacity, and should proceed in a calm, dispassionate manner.

MR. CASEY: Here is the paper.

MR. CAMERON (North Victoria): The hon. gentleman knows we can take no notice of it in that form.

MR. KIRKPATRICK: A week has elapsed since this proceeding commenced, and yet we have not seen this report, and know nothing about it. I ask the House to pause before ordering an enquiry. What would it result in? Suppose in Committee we found the allegations true—"that we are advised and believe that Mr. Hooper is guilty of fraud"—that would not enable us to act as proposed. We should have

to enquire into the whole financial affairs of Lennox and Addington. It would be a nice state of things were the affairs of every hon. gentleman similarly accused liable to investigation by a Parliamentary Committee. Some bank might allege that an hon. member had defrauded it, because he had not paid his note, when there would be an enquiry into its affairs. What would be the consequence? Should a constituency with this charge hanging over its member remain quite unrepresented? Mr. Hooper would require to be represented by counsel before the Committee. The Assizes might be sitting in his own town, where some of the signers of the petition might present a Bill against him to the Grand Jury. He would have to defend himself in both places. Is that a fair position to put an accused member in? I say no. We ought not to go further until we have on the Table of the House some better information that there actually is just ground for believing Mr. Hooper has been guilty of fraud or embezzlement. We have no evidence of that kind before us now, and I ask the House to reject the motion now before it.

MR. CAMERON (South Huron): There are no facts before the House that I am aware of in regard to this motion, and on which the House can base any proceedings, except those set forth in the petition, assuming the statements therein contained can be dealt with as facts, and therefore I do not propose entering upon any discussion of the merits of the case in that sense, except such as may fairly be drawn from the petition. In dealing with this matter we have a very important point to consider. I think this is the first case in the history of the Canadian Parliament where a petition of this kind has been presented to Parliament asking for an investigation on the grounds set out in this petition, and now that we are asked to lay down a precedent, it is of the first consequence that it should be correct, and based on reason, common sense, and on the precedents of countries of larger experience than our own. In fact we must be guided by the action of the Mother Parliament when dealing with questions of a similar character to this. I think, as the hon. gentleman who last spoke has said, that we should discuss the question with calm and judi-



cial minds, wholly irrespective of politics. I fear, however, the hon. gentleman did not exactly set us an example in this respect worthy of imitation, and I shall not follow his example. On the rule laid down by him and in the principle thus invoked, there was no necessity for reminding the House that the hon member for Lennox votes with the majority, and had defeated a prominent statesman, who sits on this side of the House. That observation was unworthy of the hon. gentleman, and does not indicate the possession of "a calm and judicial mind" in dealing with the question. To my mind it is of no kind of consequence, in so far as the honour of Parliament and the duty of Parliament is concerned, whether the hon. member implicated sits on the Ministerial or on the Opposition side of the House; that is not the point we are asked to dispose of. We should deal with it irrespective of parties and irrespective of position in the House. What to-day concerns a member of the majority may to-morrow concern a member of the minority. Hence the necessity for deliberation and calm consideration. Now, the member implicated supports the Government. On some future occasion the member whose conduct is complained of may be occupying a place on the left of the Speaker. If the majority in Parliament, resting on their numerical power, should, without just cause, enter upon an improper investigation touching the conduct of a member of this House, then the rights of a member who sits with the minority would never be safe. In support of this argument the member for Frontenac (Mr. Kirkpatrick) has cited several precedents now under consideration, but it will be found on examination that these precedents have no application whatever to the case. I do not mean to say that this is a proper case for reference to the Committee on Privileges and Elections, or to a Committee of this House. At present I pronounce no opinion on that point; that is a matter for future consideration and that I may deal with before I am done. The petitioners do not ask for Mr. Hooper's expulsion, all they ask for is that the matter be referred to a Committee of the House for investigation. Clearly there is nothing before the House that would justify such an extreme course as a motion for the

expulsion of the hon. member implicated. The petitioners do not ask for that on the facts set out in the petition, that course could not be taken. The petition, I admit, is vague, but not sufficiently strong and clear for extreme action. It may be conceded that the allegations and its statements do no more than bring the case within the Parliamentary rule, for a reference to the Committee on Privileges and Elections, if they go far enough for even that action. It may well be argued on English precedents that paragraph six would justify the House in dealing with the case in the sense and way I have indicated. That paragraph states as follows:—

"That your petitioners are advised and believe that the said County of Lennox and Addington, and the ratepayers and electors thereof, have been defrauded of a large sum of money by the said Edmund Hooper."

The first five clauses of the petition have no practical bearing on the point I am discussing, except as introductory to the sixth, and the allegations in that paragraph would seem to justify the reference asked for. In discussing this painful case, we are not without English precedents to guide us, and if I refer to these precedents at length, it is not with a view of pressing on the House the necessity of referring this petition, but rather to lay down a rule for future guidance in dealing with questions of this kind, a rule by which in similar cases the Imperial Parliament has been guided. It may be conceded at once that Mr. Hooper's financial position has nothing to do with the case. He may be insolvent or he may not, that is no concern of ours; what we have to deal with is the point whether or not the allegations made by the petitioners, in the sixth paragraph of their petition, that Mr. Hooper has defrauded the electors and county of Lennox of large sums of money, is sufficient to justify Parliament referring the matter to a Committee for an investigation, whether or not a direct and express allegation of fraud against a member of Parliament warrants an enquiry before a Committee of the House. You will find by reference to the Parliamentary practice, that in almost every case of a similar character that has arisen in England, that the course taken by the hon. member implicated was the course taken by the hon. member, except

that the hon. member for Lennox resists any enquiry and denies the competency of Parliament to deal with such a case. In England, the petition complaining of the conduct of a member is presented, read, and laid on the Table of the House, and the member implicated, on a day agreed upon, makes his statement from his place in Parliament and then retires. You will find still further, that in every case that has arisen in England, especially in the more modern times, the member whose conduct is complained of, after making his statement and before retiring, courts the strictest investigation into the charges made against him. In this respect the conduct of the hon. member for Lennox is not in accordance with the English rule. Mr. Hooper has not courted an investigation. In fact he resists it, and denies our power to deal with the charges preferred. The hon. member who justifies his conduct takes the same ground, and he also resists an investigation.

MR. KIRKPATRICK: No, I have not. I have courted the utmost enquiry; I asked them to present their bill of indictment.

MR. CAMERON: I am not talking about a Bill of indictment. I know it is open to the County Council or any elector of the county to file his bill in Chancery or commence a criminal prosecution against the hon. member for Lennox on any charge that would bring him within the scope and purview of the Criminal Law. That is not the point. What I say is that in almost every case in England the member implicated, the moment he concluded his statement, at once promptly courted the strictest investigation into his conduct, not through the machinery of the law of the land, but by a Select Committee of the House, or by the Parliament itself, or by the Committee on Privileges and Elections. In no single case was anything else done, and I regret that in this respect the conduct of the hon. member for Lennox is in marked contrast to the practice elsewhere. In the case against Mr. Lever, Parliament did nothing, but that was for other and entirely different reasons, not because the hon. member concerned did not court an investigation, but because Parliament in that case saw no ground for an investigation, and the petitioner was a convict and therefore incompetent to set the

proceedings of Parliament in motion. I regret that Mr. Hooper has not taken what would have been the more open and manly course, and have said, from his place in Parliament: "If I am guilty of fraud, if I have defrauded my fellow-electors, I am not fit to sit in Parliament. I deny the charge *in toto*, and court the strictest investigation and scrutiny into my conduct either before I became a member of Parliament, or since I became a member of Parliament, and I submit myself to the judgment of my fellow-representatives." But Mr. Hooper has not been advised to take this course, and he has seen fit not to take it. Mr. Hooper, however, is of age, and he knows his own business, and must therefore take his own course, and we must deal with the complaint entirely on its merits. Had the hon. member taken what appears to me to be the open and manly course, and sought the investigation himself, it would have saved the House the disagreeable necessity of dealing with the points any further. My hon. friend who has just taken his seat, appears to attach some importance to what he calls the uncertain statement contained in the petition, namely, that the petitioners only allege that they are "advised and believed" that Mr. Hooper has been guilty of fraud. There is nothing in this objection. If the hon. gentleman will take the trouble to refer to the *Journals* of the Imperial Parliament or to any work on Parliamentary practice, he will find that in several cases that came before the Imperial Parliament the language made use of in the petition was no stronger than the language made use of in the petition with which we are now dealing. The general allegations are made by the petitioners on their advice and belief. He will find this form of expression in the petitions against Mr. Lever in 1861, and against Daniel O'Connell in 1836; and in fact no stronger or different language could be made in a petition. All the petitioners against Mr. Hooper could say was, that from the information they had obtained they were advised and believed that Mr. Hooper was guilty of some misconduct that would render him unfit to occupy a seat on the floor of Parliament—conduct that called for an investigation by Parliament. In so far as this petition is concerned, and relying on the authorities in the

Imperial Parliament there is nothing in which the hon. gentleman has stated or in the objection on that point that he has raised. The hon. gentleman has, in resisting this motion, relied on a case of Lord Cochrane, in the English House of Commons, and has quoted the opinion of some of those who took part in the discussion that took place on the motion to expel Lord Cochrane. But this precedent and these quotations have no bearing on this case; that was a motion for the expulsion of Lord Cochrane, and not for an investigation into the conduct of the member implicated. Besides, in that case the House did resort to the extreme measure of expulsion. The hon. member has also referred to the case of Mr. Hunt, the Treasurer of the Imperial Ordnance, but that also was a motion to expel the member implicated, and not for an investigation, and therefore has no bearing on this case. While Mr. Hunt was Treasurer of the Imperial Ordnance, complaints were made against him that he had embezzled a large portion of the Imperial funds entrusted to his care as Treasurer of the Ordnance. A Commission was issued by Government to examine into the state of his accounts. There was no trial by jury; there was no conviction before the Courts; there was no investigation before Parliament; there was simply a Commission issued by the Crown to investigate the condition of Mr. Hunt's accounts. Upon that investigation it turned out that he was a defaulter to the extent of £83,000 sterling, and upon the report of that Commission a motion was made to expel Mr. Hunt, and he was accordingly expelled. Now, this precedent does not in the slightest sustain the position taken by Mr. Hooper nor the argument of the hon. member for Frontenac; on the contrary, it seems to me to fully sustain the position taken by the mover of the motion before the Chair, asking for an investigation. That was an application to expel Mr. Hunt, because, after an investigation before a Commission of Enquiry issued by the Government, he was a defaulter to the extent of £83,000, and upon the report of that Commission alone, a motion was made to expel him, and he was expelled from Parliament. This is simply an application for an investigation and not for expulsion. When Mr. Hunt's case is thoroughly investi-

gated, instead of it being an authority in favour of the position taken by Mr. Hooper, it will be found a direct authority against him. In that case Parliament did what Parliament should do only in the clearest possible case—expel a member of Parliament on the report of a Commission. Here, on the report of a Commission, an investigation only is sought. The Sadlier case was also relied on by the hon. member for Frontenac, but on investigation that case will also be found not to sustain the position taken by Mr. Hooper; there also the motion was to expel. Mr. Sadlier was a fugitive from justice. He fled to a foreign land. A motion was made to expel him for several frauds that he had committed. When a motion was first made, several members of Parliament objected to proceeding with the motion, as sufficient notice had not been given to the member implicated, and accordingly the motion was allowed to stand over until he was served with a notice of the motion to expel. The notice was given to Sadlier, but he did not attend in his place in Parliament. In fact he had absconded from the justice of his country. He was outlawed, and at the next Session of Parliament he was accordingly expelled. My hon. friend has clearly not examined with any degree of care the precedents he has cited, as they in no sense fortify his argument; on the contrary they are authorities for the investigation sought for at the hands of Parliament. I now propose drawing the attention of the House to a few of the cases that have arisen in the English House of Commons, and which appear to me to fully warrant this investigation. In July, 1836, a petition from the electors of Carlow was presented to the House of Commons complaining of the conduct of Daniel O'Connell in certain transactions alleged to have taken place between himself and Alexander Raphael respecting the representation of the County Carlow. The petition complained of the conduct of Daniel O'Connell in certain transactions alleged to have taken place between him and Raphael for procuring the return of the latter as the member for the county. How was that petition couched, in almost identical language with that now before this House, dealt with, and what did Mr. O'Connell do? Did he do as Mr.

Hooper has done here? Did he say to the Imperial House of Commons as Mr. Hooper has said to the Canadian House of Commons: I do not want an investigation; you have no power to investigate the charge levelled against me; it is none of your concern whether I am guilty or not guilty; you can't try me. On the contrary, Daniel O'Connell stood up in his place in Parliament and denied in the strongest possible way the charges made against him from beginning to end, and courted the strictest investigation on the floor of Parliament or by a Committee of Parliament. A Select Committee was appointed, the strictest investigation took place before the Committee, and the Committee reported that Daniel O'Connell had committed no offence contrary to the law of the land or the strictest rules of Parliamentary honour, and Daniel O'Connell escaped without a stain on his high character. Hon. gentlemen will find in the Journals and the Debates of Parliament another case in which a petition was presented against another eminent Irishman, Mr. Butt. In that case the petitioner complained that Isaac Butt had agreed with the Rajahpoor of Scinde, an Indian Prince, to prosecute a claim that he had against the English Government before the House of Commons, and that in that respect his conduct was unbecoming a member of Parliament, a man of honour and a gentleman. What did Isaac Butt do under the circumstance—resist an investigation and deny the competency of Parliament to deal with him? Nothing of the kind. Mr. Butt got up in his place and denied with all the emphasis he possibly could that he was not guilty of the charges laid against him, and he courted the strictest investigation. A Select Committee was appointed; that Committee enquired into the charges alleged in the petition, and, after the most thorough investigation, reported that Mr. Butt was guilty of no offence contrary to the law of the land or to the honour of Parliament. I now beg to draw the attention of the House to still another case—a case the hon. member has not referred to, and which is, perhaps, more on all fours with this case than any other case I have been able to lay my hands on. I refer to what is known in Parliamentary Law as the "Lever Case." Mr. Lever who, while he represented an Irish con-

stituency, was also the President and Manager of the Royal Atlantic Mail Steamship Company. The petition against him was presented by Edward O'Malley Irwin, and complained of his conduct in respect to his dealings with the company, and charged him with certain fraudulent practices as President of the Company and in his dealings with the company. He was not charged with any misconduct as a member of Parliament. The charge was made against him in his private and individual capacity, and not as a member of the House. The charge was based by Irwin—the petitioner—on Lever's alleged fraudulent dealings with the rest of the shareholders of the Company and against the interests of the shareholders. The petition was presented, read and laid on the Table of the House, and on a motion that it be printed, Mr. Lever denied the charge in the most emphatic language. A debate took place on the subject of the motion—the mode of dealing with such petitions, and the course Parliament should take. After a long discussion the matter was allowed to drop and no further action was taken—not because Parliament had no power to deal with it or because Parliament should not deal with charges against a member of Parliament in his private capacity, but for two other reasons. One reason was that the charge against Mr. Lever and complained of by the petitioner, took place when Mr. Lever was not a member of the Imperial Parliament. The other ground was that the petitioner was an infamous person, that he had been convicted of forgery and perjury, and according to the Rules of Parliament, no convict or infamous person could present a petition to Parliament. After the discussion that I have referred to took place the petition was allowed to drop; but in the discussion which took place on the motion to print the petition, we find the opinion of able and experienced Parliamentarians as to the proper course to pursue—not all unanimous—but all agreeing as to what was the proper course and the facts in that and kindred cases. But the general current of opinion was that where grave criminal charges were levelled against a member of the House, Parliament, if it saw fit could and should direct an enquiry without the formality of a bill of indictment or without any proceedings having

been taken before the Criminal Courts. And in the Lever case, which was a complaint based on frauds alleged to have taken place before he became a member of Parliament and solely in his private capacity. Some of the oldest and most experienced members of the Imperial Parliament were of opinion that it was a proper subject for enquiry. I will read you what Sir George Grey said on the subject. He says:

“I find that charges made against a member of this House, whether in his capacity of member or in his individual capacity, have, as a general rule, been received by the House; but not until after the member accused has been afforded an opportunity of reading the petition and of knowing distinctly what the charges contained in it against him are, and until he has had an opportunity of being in his place and of replying to them.”

This appears to be a very distinct enunciation of the rule that appears to have guided the Imperial Parliament, and according to that rule the investigation is not limited to charges affecting the member implicated in his character as a member of Parliament. A still higher authority than Sir George Grey was of the opinion that, although the matter complained of related to the member's private affairs, or rather, although the charges made do not concern him as a member of Parliament, that still Parliament could properly investigate the complaint. And the Speaker of the Imperial House of Commons says in reference to this case, on a point of order raised pending the discussion:

“In this case the allegation of the petition appears to reflect upon the conduct of Mr. Lever as manager and director of a certain public company before he was a member of the House; but the petition makes no charge, as I read it, against his conduct since he became a member of this House or in his character as a member.”

The rule thus laid down clearly implies that if the charge is made against a member of Parliament for something that has taken place since he became a member of the House, whether as a member of Parliament or in his private and individual capacity, Parliament may direct an investigation, and that is precisely the case now under consideration. Now all these observations go to show that when petitions of this kind are presented, such petitions are always received by the Imperial House of Commons, they

are read at the Table of the House, and, after the member implicated has had an opportunity of answering, they are referred to the Committee on Privileges and Elections, or to a Select Committee of the House, or are investigated by the House itself. The House will find this view confirmed by another case that arose in the English House of Commons. In the year 1826, a petition was presented on the part of the shareholders of a Coal and Mining Company, containing charges of misconduct against certain persons, one of whom at that time occupied the position of Chairman of Committees of the House. The House did then appoint a Committee to enquire into the management of that Company, with a special direction that they should report on the conduct of certain members of the House in reference to that Company. Now the course thus taken in the Imperial Parliament is exactly the course which the hon. member for West Elgin (Mr. Casey) asks this House to take in this case, and his motion is clearly sustained by Imperial authority. This is not all. There are other cases which fully bear out the position I have laid down. I now refer to what I consider a still clearer and a still stronger precedent. It also occurred in 1826. It is the case of Mr. Kenrick, who was then a member of the Imperial Parliament, and a Magistrate of Wales and the County of Surrey, and Recorder of Dover. A person of the name of Franks caused a petition to be presented to the English House of Commons against Mr. Kenrick, complaining that Mr. Kenrick had preferred before a Justice of the Peace a charge of felony against Franks, without any proof of the same, and without reasonable grounds for so doing. On that charge Franks was tried and acquitted. During the term of his imprisonment, Kenrick made several offers to him, that if he would plead guilty he (Kenrick) would procure a light sentence. These offers were rejected, and the man was acquitted. After Franks was acquitted, and after some public animadversions in Kenrick's conduct in reference to this case, Kenrick published a libellous letter on Franks, imputing to him crimes of which he was not guilty, and Franks claimed an investigation of Kenrick's conduct before the High Court of Parliament. Now, this was a matter purely private and per-

sonal, as between Franks and Kenrick. The charge had nothing to do with Kenrick's position as a member of Parliament. The Courts of Law were open to Franks. He could have had ample redress there had he invoked their aid. Kenrick improperly laid an information against the man; he was tried and acquitted. Kenrick then wrote a letter to the public journals, after the man was acquitted, charging him with criminal conduct. Although the Courts were open to him, he was not denied his right of enquiry before Parliament. The matter was submitted to the House, and the House dealt with it; and nobody thought of questioning the power and the right of Parliament to do so, and no one thought of avoiding the fullest and freest investigation. The complaint was referred to a Select Committee, and that Committee dealt with it, and that is all the mover of the motion I am now discussing asks for. In all cases of a similar character brought before the Imperial Parliament, I find, in examining such cases, that the implicated member has himself courted the enquiry, and the investigation has hardly ever been denied—in fact, never, except under very exceptional circumstances. Another proposition is laid down by the hon. member for Frontenac. He contends that before an investigation of this kind is sought in Parliament there should be a foundation laid for the enquiry, that in fact there should first be a trial before a jury and a conviction of the implicated member, and that such conviction and trial alone should form the basis for an enquiry here. That is the very reverse of the rule acted on in the Imperial Parliament in many cases. There Parliament first investigates the charges preferred against a member, and if he is found to be guilty of the charges laid against him he is dealt with by Parliament and then handed over to the Criminal Courts to be dealt with by them. I do not say that the hon. member for Lennox is guilty in this case—far from it—I trust he is not, and from my short acquaintance with him I can hardly believe that he is guilty of the criminal offence mentioned in the petition; but with that I have nothing to do. That is not a point that we are called on to discuss at this stage of the proceedings; I am simply trying to lay down what I believe to be the Law of Parlia-

ment, and what I think should be done in cases of this kind, if we are to be guided by Imperial precedents. It is the duty of Parliament—if Parliament is satisfied that an investigation is in the interests of Parliament—if the honour, the honesty, or the integrity of a member of Parliament is challenged by petition, if his conduct is alleged to be infamous so far as to render him unfit to sit in a deliberative assembly of this kind, to at once cause an investigation; and it is equally the duty of any member implicated, and against whom any charge of the kind suggested is made, to seek at the earliest moment an investigation of the strictest kind; and after the investigation, if the charge is substantiated, he should be dealt with by the House, and then be handed over to the civil authorities. In confirmation of this view, I beg to quote from an eminent authority, Lord Colthurst, in his Diary, at page 373, writing upon a matter of this kind, says:

“The principle of the expulsion, the facts incontrovertibly proved of his having plotted and practiced a gross and infamous breach of trust in a money transaction to his own emolument, and the precedent (by which that principle had already been extended to transactions respecting not only public but also private property in the case of individuals), applied and relied upon was that of the charitable corporation in 1722, when, for indirect and fraudulent practices, three members were expelled; and the legal conviction of any indictable offense in those practices was held to be so little necessary to precede the expulsion, that they were expelled first, and the legal prosecutions were ordered afterwards, as is commonly the practice of Parliament, where it first vindicates its own honour, and then consigns the individual to legal prosecution, which may, or may not be able to fix the legal guilt and punishment on the delinquent.”

The hon. member who has undertaken to defend Mr. Hooper has laid down the very reverse rule. I prefer to follow Lord Colthurst. That rule, shortly, is this: If a petition is presented against a member of Parliament, complaining of his conduct, or that reflects gravely and seriously on his character as a member or otherwise, then it is the duty of Parliament to cause an investigation, and it is equally the duty of the member complained against to court at the earliest opportunity the fullest investigation. These observations are entirely apart from the merits of the case now before the House, of which I know nothing except

what has been stated by the mover of the resolution and what is contained in the sixth paragraph of the petition. The question of the truth or falsity of the charge is quite aside from the point we have now to deal with. The guilt or innocence of the member complained of is not now before us, and we are not asked to pronounce on it; that is for the Committee to inquire into. The gentleman, it appears to me, should court a full investigation; he should have an opportunity to clear his character and reputation of charges levelled against him before a Committee of the House. And if this investigation is now stifled and this enquiry stopped, it will go abroad throughout the country that there is something wrong, that the member for Lennox is guilty, and that the petitioners have good ground for seeking an enquiry into his conduct, and that the gentleman has screened himself from the enquiry under the protection of a majority in Parliament, a majority, as the hon. member for Frontenac reminded us of, with which the member implicated always votes.

MR. IVES: I have not had an opportunity of consulting the authorities upon this question, and am therefore unable to follow the hon. gentleman who has just resumed his seat, but it seems to me that this House might settle this question for itself, without reference to any authorities. There are several undisputed facts before the House; others are disputed. If we take the undisputed ones, they are these: Mr. Hooper has been the treasurer of the counties of Lennox and Addington; Mr. Hooper is charged with having embezzled the funds of the counties of Lennox and Addington; Mr. Hooper denies the charge; and, as I understand it, a Commissioner has made a report, which asserts that Mr. Hooper is indebted to those counties. Mr. Hooper denies this; and now a motion is made that the question whether he is indebted to the counties of Lennox and Addington or not should be left to be decided by the Select Standing Committee on Privileges and Elections—I suppose that is the question really to be referred to the Committee—and, if he is so indebted, whether he is or is not guilty of embezzlement of the funds of those counties. The first question that arises is as to whether this re-

port is evidence, conclusive evidence, which this House should receive. Of course, if it is, the matter to be left to the Committee will be a simple one; they should take that report and examine it, taking it as conclusive evidence, and, upon that examination, report to this House whether Mr. Hooper is guilty of embezzling the funds of the Counties of Lennox and Addington. But, if this Commission and the report of that Commission should be considered not conclusive evidence, then it is no evidence at all; and, if this matter is referred to a Committee, that Committee will have to go into the whole of the financial affairs of the counties of Lennox and Addington for a series of years during which Mr. Hooper has held office. This matter looks to me to be one entirely independent of English authorities, and one over which this House has entire control. The House can delegate to a Committee the power to settle the question between the counties of Lennox and Addington and Mr. Hooper, if it is thought to be fair to Mr. Hooper, or fair to that Committee to impose upon it such a labour. But, if the House thinks it unfair to bring Mr. Hooper before that Committee, with his books, papers, and accounts, or to impose such an amount of labour upon the members of this House who serve on that Committee, then this House should refuse to refer the matter to a Committee. One thing is quite certain, namely, that this House is not bound to refer any charge to a Committee, merely because the charge is made, and because it is of a serious character. If that were a fact, we should have plenty of work to do after every election, for it would be only necessary to make a charge against any member of the party opposed in politics to the majority, and the House would refer the matter to a Committee to be selected from that majority. Therefore it must be held that this House does not necessarily refer every case of this kind to a Committee. But is this case one which ought to be referred to such a Committee? I can easily understand a case where a charge is made, for instance, of assault—where one member makes the charge and the other denies it—such a case is susceptible of proof before a Committee. Then the House might refer it to a Committee to ascertain whether such an assault had

been committed, and report the result of the enquiry; but it is not beyond the duties of this House to refuse to impose upon a Committee the immense labour that is involved in the reference now proposed. Now it is said that Mr. Hooper expresses his willingness to have this charge investigated. He denied the charge and then quietly withdrew from the House, stating that he left it in the hands of the House to deal with. He has no objection to an investigation. He says: Such a charge is made against me; my reply is a denial; do what you like with it; I leave the Chamber; let the House decide for itself. Now, if the matter was one easy of proof, and involving but little labour, it might properly be referred to a Committee, because it is a most serious charge; but in such a case as this it appears to me that it would be an enormous labour to impose upon any Committee, and a piece of unfairness to send Mr. Hooper before such a Committee, and I shall vote against it.

MR. CAMERON (North Victoria): This House is asked to establish a precedent of a very serious nature, an evil precedent, in referring this case to the Committee of Privileges and Elections. I did expect that the hon. gentleman who moved for this reference would favour the House with precedents in favour of that course, but he failed to do so. He referred to Mr. Hunt's case, and to the case of the hon. member for Gloucester (Mr. Anglin), when he was Speaker of this House, neither of which, however, had the slightest bearing on the case now before the House; but this lack of authorities has been compensated for by my hon. friend from South Huron (Mr. Cameron), who has cited certain authorities to show that the proposed reference is a proper one to be made in such a case as this. I have given some little consideration to the authorities. I have looked over them as carefully as time would allow, but I have failed to find one case in which a reference was made to a Committee of Privileges and Elections on materials such as we have before us. It is conceded that there is no such authority to be found in this country, and none of the cases cited by my hon. friend from South Huron establish that any such course has been followed in England. My hon. friend admitted that, if there were

any material before the House, it was just about all there was, for making this reference, and yet he endeavoured to show that in certain cases references of this kind had been made in England. I will not go through the cases, some of which I have looked at, but I venture to say that in every one of them the facts are different to those before the House, and that no precedent can be established on them. Let us consider for a moment the materials on which we are asked to refer this matter to the Committee on Privileges and Elections. We are asked, in fact, as my hon. friend from South Huron has candidly admitted, to say that, whenever a petitioner who presents a petition alleges that any hon. member has defrauded someone, the House is bound to refer the matter to the Committee on Privileges and Elections. That was the position assumed by the hon. gentleman, and I join issue with him in his conclusion. I say that to establish such a rule would be to lay down a monstrous doctrine in this House, resulting in the most serious and disastrous consequences to harmony and good feeling, without which it would be impossible to carry on our proceedings in this House. Any proceeding of that kind would be followed by recriminations. Hon. gentlemen will recollect that, if we establish this precedent—we will be, I was going to say, pestered, I think it would be the proper term—by petitions from everyone having grievances against any hon. gentleman in this House, which such person would bring before Parliament, and make either a subject of persecution out of political or personal spite, against that member, or the means of levying blackmail. Hon. gentlemen will recollect that there are other members in this House against whom charges far more serious than those contained in this petition have been made in this House and published in the Press. Hon. gentlemen in this House have been charged, in print, in newspapers, in quotations from legal proceedings, of criminal offences of the gravest kind, of fraud of the grossest character. In some cases even, some of those gentlemen who have been so charged, when they have commenced proceedings for vindicating their character, have not prosecuted those proceedings to a successful termination. I should therefore like to ask hon. gentle-



men here whether, if we establish the precedent that is sought to be established in the motion of the hon. member for West Elgin (Mr. Casey), it will not inevitably be followed by some petition against other members of this House, and whether the Committee on Privileges and Elections will not be occupied in profitless and most annoying investigations into the private affairs of hon. members sitting in this House. But my hon. friend who moved this petition the other day sought to sustain it on the ground that it rested upon the authority of a quasi-judicial proceeding of a properly appointed Commission. He stated that from what he had read in the text-books of the authorities in England, Parliament had never acted in a matter of this kind against any member in the House, unless upon an established conviction for some crime, or upon the report of some Committee appointed by the House, or by other statutory authorities, which proved him to be guilty of the offence laid to his charge. My hon. friend sought to give to the proceedings of this Commission, appointed under the authority of the Statute of Ontario, the legal and binding effect which has been given by the House of Commons in England occasionally to the reports of Committees of that House. In the case of Mr. Hunt, to which reference was made by the hon. member for West Elgin, a Special Commission was appointed to investigate his accounts as Treasurer of the Ordnance, when he was found to be indebted to the Crown in the large sum of, I think, £90,000 sterling. He was summoned on three different occasions to be present in his place in the House, in order that the report of this Commission might be read and the matter discussed there. But he refused to appear and fled the country, and the report was laid on the Table of the House, with the statement that the officers had been unable to serve him in consequence of his having fled the country. The House was satisfied then that no denial could be made of the charge of criminally appropriating public funds, and he was expelled. In the present case, the authority of the Commission rests upon the Statute of Ontario. In this case, the question was the state of the accounts between the County Council of Lennox and Mr. Hooper, their Treasurer. That

MR. CAMERON.

Commission was appointed upon a petition signed by thirty-two so-called ratepayers, asking that the accounts be enquired into. We find, however, by the document Mr. Hooper has just read to the House, that the only authority for issuing a Commission of this kind is a petition signed by thirty-two ratepayers, and we find that six or seven of those whose names were on the petition made a solemn declaration that they had never signed any such petition; consequently, the very foundation for that Commission was knocked from under it. This petition was sent to the Attorney-General of Ontario, but at the same time there was sent a positive formal notice from the County Council that they should repudiate the authority of the Commission, and would not pay the expenses which were likely to be saddled upon them, because the whole thing was illegal. Then the hon. member for West Elgin talks about Mr. Hooper appearing before the Commission and denying its authority. It was not Mr. Hooper who did that, but the County Council, the formal and official body of the electors of the county, who came before the Commissioner and told him! You have no right here; you are here under false pretences, on a petition purporting to be signed by thirty-two ratepayers, and we have furnished you with the evidence that this petition was a fraud, and consequently you have no authority to come here. But the Commissioner chose to proceed, notwithstanding that notice. I will say nothing disrespectful of that Commissioner, a lawyer in Ontario, of strong political leanings, who once ran unsuccessfully for the Local Legislature. His ambition being much greater than his popularity, certainly he was open beyond all question to the animadversions which the hon. member for West Elgin indulged in when he spoke of the political partisanship of members on the Ministerial side of this House. If there ever was a tribunal appointed by a partisan Government at the request of political partisans, for a partisan purpose, that is the one we are now considering. The whole proceeding was based upon political spite, in order that its promoters might avenge themselves upon Mr. Hooper for having successfully carried the county in the last general elections. This Commission goes on and makes a report, and how does

the Commissioner proceed? This answer Mr. Hooper has given, and I think the statement made by a member of this House, on his responsibility, on the floor of this House, is entitled to at least as much credit as the statements of twenty-five signatories to a petition obtained in such a manner and for such a purpose as the one we are now dealing with. In the face of the statement which Mr. Hooper makes, of the way this Commissioner made up the accounts, my hon. friend talks about Mr. Hooper being a defaulter to the extent of \$32,000. Nearly \$20,000 of it was made up by usurious interest, compounded quarterly, at the rate of 14 per cent. per annum. This is the kind of treatment this immaculate Commissioner dealt out to a member of this House. Mr. Hooper goes on to give an additional statement that he is not indebted at all. He also says that the Commissioner did not carry the investigation to the period at which the accounts were closed, but he stopped at the date of his appointment, and said he could go no further than that. How could he tell how the account stood by confining himself to a particular period? There might have been a large amount then required to be in Mr. Hooper's hands to be paid over for some particular purpose. He should have carried his investigation down to the time Mr. Hooper ceased to be Treasurer, or closed his account, in order to give a fair statement of the manner in which the accounts stood. This report came before the County Council. Now, those hon. gentlemen of this House who come from Ontario, know, what a shrewd and intelligent class of men those composing the County Councils generally are. They are as careful and as prudent in their management of the public business as any class of men that could be selected. But my hon. friend says this was a partisan County Council. I never heard before that politics in the county council of Lennox ran so much in one way that the respective parties stood in the relation of fifteen to six, for such was the majority by which the Council declared that this report was unfounded, that they would not accept it, stating that they were themselves having an investigation into the accounts. Now, I do not think there can be any stronger justification of Mr.

Hooper than the fact that the County Council, composed of reeves and deputy reeves, by a vote of fifteen to six declared that this report was not trustworthy and that they would have a separate investigation of their own. That investigation is now proceeding, and we are asked here to do Mr. Hooper the gross injustice of opening up an enquiry in this House, by Committee, into a matter which is now undergoing enquiry by a competent tribunal, by the parties who are themselves directly interested in the matter. We are also asked to do that in face of the fact stated in the statement read to the House, that his sureties, who are amply responsible, came before the County Council and said: "If, after a fair examination of Mr. Hooper's accounts, you find a deficiency, and that anything is due by him, we undertake to pay the same." The Council was satisfied with that statement and content with the responsibility of his sureties, believing that whatever balance of debt, if any, Mr. Hooper owed, would be paid to the county and to the rate-payers. So there is no truth in the statement contained in the petition of these ratepayers, that, if Mr. Hooper was declared a defaulter, the county would lose a large sum of money. My hon. friend who spoke just before me, pointed out to the House a matter of very grave importance as affecting this question when he advocated referring this entire matter to the Committee of this House, which, he stated, was competent and fully qualified to deal with it. Now, I would ask the hon. gentlemen on the Committee of Privileges and Elections whether they think themselves competent to sit as a Board of Auditors to ascertain the state of the accounts of a County Treasurer, extending over a period of eight or ten years? Are we competent to settle and decide that question; for what else should we have to decide? We are asked to investigate the question whether Mr. Hooper has defrauded his county, or whether, at the date of our investigation, there was a balance due by him to the county. Mr. Hooper says there was not; this Commissioner apparently did not know whether there was or not, as, being a lawyer, perhaps he is not acquainted with figures. This House is asked to refer the matter to another body of lawyers, for I believe that,

with the exception of the hon. member for Chateauguay (Mr. Holton), every member of that Committee is a lawyer. Now, is this Committee to undertake an enquiry of that kind; or is this a matter for this House to entertain? The petition makes another statement, that Mr. Hooper has become insolvent. This, I believe, is so, and it is much to be regretted. But why is he insolvent? Why, because of the persecution of political friends of hon. gentlemen opposite. They were not content with destroying the position he held in the county of Lennox and trying to destroy his political influence there. He being a merchant and in business with his sons, his credit was necessarily impaired, all his creditors pressed him, and the result was he was driven into insolvency by the persecution undertaken by his political opponents. It has come from the political hatred of his opponents in Napanoe, who have been at the bottom of this persecution, who have presented this petition to the House now. It is these who have driven him into insolvency and are trying to destroy his reputation now. Being strongly opposed to the investigation asked for by this petition becoming a precedent, I think it better to move in amendment:

That all the words after "That" in the said proposed motion be left out, and the following be inserted instead thereof:—"Having heard the statement of Edmund Hooper, Esq., member of this House for the Electoral District of the County of Lennox and inasmuch as the petition of certain electors of the Electoral District of the County of Lennox does not disclose facts which affect the right of the said Edmund Hooper to represent the said Electoral Division in this House, the said petition be not referred to the Select Standing Committee on Privileges and Elections."

MR. CASEY: The position of this debate has been considerably altered by what has been said since I last spoke, and also by the statement put in by the hon. member for Lennox, which I had not, up to then, had time carefully to look into, and which I have not yet had time to compare with the report of the Commissioner. There is one thing Mr. Hooper has not done, which his advocates on the other side of the House have done for him. He has not fairly and squarely denied the charges made against him. Instead of doing so, he begins by complaining that the tribunal was not a

properly constituted one. That is not a matter for this House to deal with, either on his statement or the statement of the petitioners. It is purely a question for the Committee. He states that several signers of the petition denied their signatures, and that the Attorney-General was notified of this fact by the Warden. It would perhaps be sufficient, in answer to that, to state that the Attorney-General does not appear to have taken any notice of it, but I am informed that the Warden was compelled to retract that statement, and apologise to the party who witnessed the signatures to the petition. We have here a direct conflict of evidence, which this House is not in a position as a body to enquire into, but which the Committee on Privileges and Elections may properly investigate. We are also told that the report of the Commission is untrue in point of fact. Of course when a statement is made across the floor of the House by a member on his word, you are bound to accept it unless you are proposing to enquire into the statement in some way. If we were to take a simple denial in such cases, there would be an end to enquiries of this kind. Indeed, the statement of this hon. gentleman is simply a challenge to investigate whether the Commission was properly constituted and whether its findings were true, and I think the House would be wanting in consideration for the hon. member for Lennox, as well as for its own dignity, if it allows that conflict to go on any longer. I find it stated that interest was calculated by the Commission at the rate of 14 per cent., so that \$20,000 of the deficiency is made up on account of improper compound interest. On looking at the report, I find that the interest is charged, not at 14 per cent., but for fourteen years. I suppose the hon. member for Lennox has been misled by a hurried glance at the report. One sum of \$4,681, mentioned by the Commission, had amounted to something over \$8,000 in the fourteen years. It seems to me that a sum of \$4,681 compounded every quarter for fourteen years, at 14 per cent., would more than double in that time.

MR. PLUMB: What is the rate of interest?

MR. CASEY: The hon. member for

Niagara can find that out by an easy calculation. I have not the time now to do so while speaking. It certainly could not be 14 per cent., as stated by the hon. member for Lennox. That hon. gentleman does not say that he is not indebted to the county—that he has not embezzled, or defrauded the county. He says: "I am personally not aware of any deficiency in my accounts, because they were duly audited every year by competent auditors appointed by the County Council." The Commissioners tell a different story. They say that the auditors relied chiefly on statements presented by the Treasurer. They say:

"It is clear, from the testimony of the auditors who were examined, that they relied chiefly, if not altogether, upon the statements submitted to them by the Treasurer. \* \* In point of fact, these so-called auditors' statements were not prepared by the auditors, but by Mr. Hooper, the Treasurer, and accepted by the auditors without any proper examination of the books and other necessary sources of information, and, as a result, the books were in no case actually audited."

We therefore find a direct conflict of evidence on this point, but we must remember that the Commission examined those auditors on oath, and learned what was their custom. Surely, if the hon. member knew there was a clear case in his favour, he would have stated clearly that he owed the county nothing. I am not arguing that he is guilty, but that this statement does not say he is not guilty. The hon. member for North Victoria (Mr. Cameron) made a great point out of the statement that the County Council cannot suffer any loss, because the sureties of the Treasurer are good, and that, therefore, we should not make any fuss about the matter. That, however, is a contention that very few hon. members would care to make. It amounts to this: That, if the late Treasurer is guilty, and can manage to settle with the county authorities, it does not concern the House whether he is an embezzler or not. I must notice the closing paragraph, which states: "I am satisfied that the attack made on me originated from political malice." I am informed by a gentleman who forwarded the petition to me that several of the signers were supporters of the hon. member for Lennox at the last election, and it cannot be charged that they were actuated by political malice. All this discussion of

details may seem irrelevant, but, in addressing the House, I have merely wished to clear away some of the mist cast around the subject by hon. gentlemen opposite and by the statement of the hon. member for Lennox. We have been told that, whatever the facts may be, this is a matter we have no right to inquire into. The hon. gentleman who sits besides me (Mr. Cameron, South Huron) has shown that on some similar occasions in England the House not only took cognisance of the matter but proceeded to expel the member. Now, if the House over there took such action, I think this House is competent to take cognisance of this matter, so far at least as to enquire into it. The hon. member for Frontenac (Mr. Kirkpatrick) lays stress on the words in the petition to the effect that the petitioners "were advised and believed" that the county was defrauded. I do not know that the statement could be made in any other way. The hon. member (Mr. Kirkpatrick) also said that the report was not before the House. Well, as far as I am aware, it cannot be brought before the House unless we choose to enquire further into the matter. If the House will take the word of a member, that such report is in existence, and that it seems to bear out the allegations of the petition, then the report can be brought before us. It seems as if the hon. gentleman was afraid that the report should come before the House. I think the Committee on Privileges and Elections should enquire into the constitution of the Commission, ascertain whether it examined witnesses on oath, and what conclusion was arrived at. Such an enquiry would determine whether or not there are strong grounds for the expulsion of the hon. member for Lennox; it would place us in a position to decide on the merits of the case. If the House refuses to look into the matter, it shuts its eyes to the facts, and we will never be in a position to find out whether the hon. member is guilty or not. The hon. member for Richmond and Wolfe (Mr. Ives) made a strong point of the statement that the enquiry before the Committee would be tedious and intricate, and go too much into details. The trouble an enquiry would cause is no reason why it should not take place. Then the hon. member for North Victoria (Mr. Cameron)

reiterated that, if this precedent was set, charges might be made every day through the press and otherwise, and the Committee would be overrun with investigations of this character. I deny that this would establish a precedent for enquiries based upon charges made in the press. This charge is based upon the report of a Commission, acting under the Statute, and it is the most infrequent occurrence in the world for a member to be charged in this way and on such proof with defrauding a county of \$32,000. It is desirable, of course, to protect the interests of the minority, and, as we are in a comparatively small minority here, we do not want a precedent established that would enable the majority to sweep down upon us whenever they desired. But I do not think anything of the sort would happen if this enquiry were granted. I suppose the House has pretty thoroughly made up its mind what it will do in the case. I presume the hon. the leader of the Government has made up his mind whether he will take any stand in the matter. I did suppose, when the right hon. gentleman moved the adjournment of the debate, the other evening, that he intended to say something on the subject, and I naturally supposed he would state the grounds on which this reference should or should not be made. Whether he sees fit to do that or not, he will no doubt indicate what his opinion is. If he thinks the reference should not be made, it is useless to take any division. If the right hon. gentleman states his intention to oppose the reference, I shall, therefore, not insist upon dividing the House. In consequence of the right hon. gentleman refusing to allow the other petition to be received and read to-day, it will come up to-morrow in the natural course of events, and there may be further occasion for debate on this subject, or possibly for a division. That, however, will depend upon the view the House takes. If the reference is not made, the entire responsibility will rest with the right hon. gentleman and his Government; and I have no doubt they are willing to assume that responsibility—at least three years before the general elections.

MR. BUNSTER: I am sorry to intrude upon the time of the House, because I think its time has been wasted in the discussion of this question. It

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leaked out during the discussion that the charge was pressed against this hon. member because he was voting with the majority. That should not be an offence, and I do not see any reason for all this talk about a little deficit in this county of deficits. How was it that the late Finance Minister of the Dominion who was a member for this county was not called to account? He had a deficit of \$2,900,000 in 1876; another of \$3,000,000 in 1877; and another of \$2,000,000 in 1878. And here we are wasting the time of this country over a paltry sum of \$32,000. If the hon. member for Lennox is guilty, why not call in a Justice of the Peace to pass his judgment upon the matter according to the law of the land? Valuable time is taken up in this way, when we ought to be considering the development of the North-West, or the construction of the Pacific Railway, is ridiculous. We should have been at that work instead of fooling away two hours' time this way. You, Sir—pardon me for the remark—are partly to blame for this conduct. I for one feel it hard to have to come 4,000 miles from home to witness all this washing of dirty linen. It is an unprofitable and a reprehensible way of spending the money of the people we are sent here to represent, and I most decidedly will not be a party to it.

MR. ANGLIN: I think the House has already decided that the argument used by the hon. member for Nanaimo (Mr. Bunster) in support of the amendment is the strongest offered on that side of the question. If a late Minister of Finance has not been prosecuted for a deficit, why should a Treasurer of a municipality of Ontario be prosecuted and criminally convicted because of a deficit? If, as the hon. member for Richmond and Wolfe (Mr. Ives) said, we are merely called on to enquire whether Mr. Hooper, as Treasurer, is indebted to his municipality, we of course should refuse to make any such enquiry. However, there is something more serious than that in the case; for, although the petition does not in very strong terms make a direct charge against Mr. Hooper, it does in the closing passage declare that the petitioners are advised and have reason to believe that he has defrauded

them. The question is entirely based on the charge of fraud. If no charge of fraud is sufficiently made, the whole case ought to fall through. If we choose to say that the allegation is not sufficiently direct and distinct, we should simply rest the case there, and for that reason refuse to proceed further. If, however, this charge of fraud is clearly made, and we have heard an hon. member state that he is in possession of evidence which he believes would sustain it, it becomes a serious question whether we should accept as sufficient the statement of Mr. Hooper, which has been read, or refer the matter to the Committee on Privileges and Elections. The possible tediousness and intricacy of the investigation affords no reason why it should not be held. The hon. member for Richmond and Wolfe said that the House ought not to be guided by the precedents of the Imperial Parliament, cited by the hon. member for South Huron (Mr. Cameron), but the House, I trust, will always attach to such precedents the weight and importance to which they are entitled. We are told that the allegation of "fraud" in the petition, is contradicted by the hon. member for Lennox and Ad-dington, and we are asked by the amend-ment to declare that this denial is equiva-lent to disproof; but the mere contradic-tion, by himself, of such a serious charge, cannot be held to be a sufficient reason for refusing to refer the matter to a Com-mittee. It is too much to ask the House to pass the amendment in that shape—it would be injudicious to do so. Naturally, any hon. member would deny the truth of such an accusation, and more than that, may proceed to argue, as Mr. Hooper does in his case, that certain other allegations made, or likely to be made, were untrue. I would suggest that that part of the amendment be struck out and the hon. member for North Victoria rest his case on the assertion that the peti-tion does not disclose facts to warrant the course proposed in the original motion.

Mr. HOLTON : I think the concluding portion of the amendment ought to be struck out. I am clearly of opinion that no case has been made out for the reference proposed. But I have very grave doubts as to whether we ought to put in our Jour-nals, as a reason for not making the refer-ence, the plea of Not Guilty, of the gentle-

man who has been attacked. I should like very much that the decision and judgment of the House should be taken on the suffi-ciency or insufficiency of the case made out by my hon. friend the member for Elgin.

Mr. CAMERON (North Victoria) : I have no objection to strike out the latter part of the second reason, and rest the motion on the first—"that the petition does not dis-close facts," etc. I think it better that the rule on which the House rests should be stated on unquestionable grounds.

Mr. MILLS : The rule is that the denial of an hon. member should be taken with regard to any fact alleged in the dis-cussion; but, if there is a charge formally made, on which the action of the House is asked, his denial cannot be put in op-position to that allegation; and that is the objection in this matter—that we are asked to put the hon. member's denial against the allegations in the petition, upon which a member had invited the action of the House. The House, if it did so, would commit itself to a wholly untenable position.

SIR JOHN A. MACDONALD : I think the hon. member for Bothwell (Mr. Mills) goes too far, and that this is the prin-ciple prevailing : if in the discussion any-thing is said respecting an hon. member, and he in his place denies it, his denial is accepted; but, if there be a distinct charge, his allegation does not go for nothing. It is for the House, however, to weigh his statement against the direct charge, and it may give more weight to the denial than to the charge. But once a specific charge has been made, the House does not accept as a matter of course the member's denial as such, but may give such weight as it pleases to the denial.

Mr. MILLS : The right hon. gentle-man will find this is not the case when the action of the House is asked for on a petition. The allegation is made in the motion that the denial of the member is to be taken as a ground for refusing the action proposed.

Mr. MACDOUGALL : I do not rise to prolong the discussion, which seems near its natural termination; but, having been invited by a large number of the electors of the county which the accused member represent to assist him in his canvass and in his election, I had the

pleasure of making the acquaintance of very many of them, and, for the first time of meeting Mr. Hooper. I found him a man standing very high in the estimation of the people of that constituency. No one ventured to say in my presence that he was not an honourable and reputable citizen. The result of the election proved, considering the political forces he encountered, the high position he occupied in their esteem; and, in consequence, he has a seat in this House. I do not believe the statements made in the petition that sufficient grounds were disclosed for an application to this House to constitute itself a criminal tribunal—a Court of Appeal from the Commissioner sent down under the Statute of the Local Legislature to enquire into the municipal irregularities referred to. I think it would be degrading our position as the highest tribunal in the country to enter into an investigation of the conduct of a member who has not been found guilty of any offence by a Court of Justice which disqualifies him to sit among gentlemen or to represent a constituency. This Commission of enquiry into the Treasurer's accounts is merely a preliminary proceeding or enquiry. The report is not final. It is also *ex parte*. The charges are denied by the hon. member in his place in this House. He, of all others, is the man who has the best opportunity of knowing whether there is any foundation for them, and he solemnly denies that he has been guilty of any criminal offence. Moreover, we know that political partisanship has been disclosed in this matter. We know that, on the very face of the case as presented to us, the large deficiency could only have been arrived at by a mode of calculation inspired by the strongest political and partisan feeling. The plan was to assume—for they have not yet been established by proof—that certain deficits have occurred from year to year in the Treasurer's accounts. The Commissioner then proceeded to multiply and compute the interest so as to make up an enormous sum—so large that no official, unless through fraud, misappropriation or embezzlement, could have incurred such a deficit; but it has been discovered from the report of the Commissioner himself that the deficiencies only amount to a few thousand dollars altogether. And, when we know that Mr. Hooper gave

sureties and that they are solvent, and that the amount that they guaranteed is enough to pay the whole deficit, we must admit that his friends have good right to complain that a very unfair advantage has been taken of the hon. member by bringing a local dispute into this House to damage and discredit his conduct and character, and, as far as possible to discredit also the political party to which he belongs. I very much regret that my hon. friend from East Elgin (Mr. Casey) has allowed himself to be made use of for the purpose of gratifying the personal enmity and political hostility of some parties who, I hope, are outside of this House. I think we ought to consider ourselves as honourable men till proved guilty by our own admission, or by a competent tribunal of some criminal offence. I do say that the statement of the hon. member for Lennox and Addington, in his place here, that he is not guilty of the offence with which he is charged in this informal manner, ought to be sufficient until he is found guilty by some Court of Justice. I shall oppose the reference of the petition.

Amendment (*Mr. Cameron, North Victoria*) agreed to.

House adjourned at

Thirty minutes after

Ten o'clock.

## HOUSE OF COMMONS.

*Thursday, 4th March, 1880.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS PETITIONS.

EXTENSION OF TIME PROPOSED.

MR. ROBINSON: I beg leave to move, in accordance with the report of the Committee on Standing Orders, that the time of receiving petitions for Private Bills be extended twelve days. I may add that, judging from the sentiments expressed by members of the Committee, this will be the last application for extension.

MR. BLAKE: I do not know whether this requires the assent of more than one Standing Committee; but it appears to me that it is a breach of the system established two or three Sessions ago. If these petitions for Private Bills, which

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should have been presented long ago, are to be presented twelve days from to-day, the Bills cannot be efficiently considered in Committee at a time when the other business of the House must occupy the whole attention of members.

MR. ROBINSON: There is no doubt a great deal in what the hon. member for West Durham says; but I bring in this motion at the request of the Committee, who gave the matter due consideration. The rule is partly a dead letter as far as the public is concerned. Formerly it was the custom to print the rules of the House, and to notify the public in the different newspapers, such as the *Mail* and the *Globe*, in Ontario, and the *Gazette* and *Herald*, in the Province of Quebec. No such notice is now given by these or other newspapers; but the public have to learn the rules of this House through the Government *Gazette*, which, it is notorious, is not read by the public. The Committee were very loth, indeed, to ask for an extension of time, but they do so upon the very best consideration they could give to the question, and at the request of members of the House outside of the Committee.

MR. LANGEVIN: I think my hon. friend would do better to wait until tomorrow, and have a report from the Private Bills Committee, because this request should be made on the recommendation of the Committee.

MR. ROBINSON: It is recommended by the Committee of Standing Orders.

MR. ANGLIN: There is something more to consider. The Bills should be printed before the Session commences; and it would be necessary, if we extend the time further to present petitions at this late period, to extend also the time for printing Bills. The whole policy of the House, adopted very deliberately a few years ago, must be reversed.

MR. CAMERON (North Victoria): That rule has been more honoured in the breach than in the observance. Practically the rule has undoubtedly become a dead letter. Bills have been received after the time fixed by that rule, commonly enough.

MR. BLAKE: I do not know by whose authority they have been received then.

MR. HOLTON: It will be in the memory of members of the last House

that very great inconvenience arose from the practice of introducing Private Bills at a late period of the Session, under a suspension of the rules, and a Committee composed of some of the more experienced members of the House, familiar with the practice of the House, was struck to revise the rules. The hon. the leader of the present Government was on that Committee; and the hon. member for West Durham (Mr. Blake) was on that Committee. It was a strong Committee with reference to the subject with which they were charged. Well, Sir, that Committee reported, and certain changes in the rules were made with respect to Private Bills. For a year or two the argument was, "Let us have a little more time to educate the people into these rules. If we are too rigorous in enforcing them at first, public inconvenience may arise." Instead of becoming more rigorous with the lapse of time we regard these rules less and less, from year to year, until now they may be regarded as a dead letter, and we are remitted to the old state of things with the great inconvenience of having rules which are disregarded, and having to keep some people to the rules and exclude them from taking advantage of these delays, while others get the rules dispensed with and have their Bills introduced late in the Session. The whole evil of this is, that during the late days of the Session we are delayed by the consideration of Private Bills which might be received at an earlier part of the Session. Under the old system I was often astonished to find in the Statutes clauses in Private Bills seriously affecting public laws, to which our attention was not directed in their passage through the House. It was to prevent this that the new rules were adopted, and I very much regret that we are falling back to that loose practice, and perhaps to a worse state of things than ever. The leaders of the House ought to consider it their duty to see that these rules are either repealed or enforced. The evils are very great arising from the lax administration of these rules. I do not wish to object to this motion. It is an unamiable thing to thwart one's colleagues in their endeavour to get on with the Bills committed to their charge. I know that from experience. I do not desire to put these gen-



plemen to unnecessary trouble, but it is only by determining to enforce the rules of the House, which are conceived in the public interest, that we can get rid of the inconvenience. The Chairman of the Committee on Standing Orders would do well to get the concurrence of the Committee on Private Bills or the Committee on Banking. I think so much is required by the Rules of the House.

MR. LANGEVIN: Yes, the concurrence of one or more.

MR. ROBINSON: The Committee on Private Bills will meet to-morrow.

MR. HOLTON: Let it stand then until to-morrow.

MR. BLAKE: Would the hon. gentleman see whether it would not be possible to propose a more limited extension of time?

MR. ROBINSON: I will propose it to the Committee.

Motion, with leave of the House, withdrawn.

#### BILLS INTRODUCED.

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

Bill (No. 53) Respecting the Credit Valley Railway Company.—(Mr. Haggart.)

Bill (No. 54) To incorporate the Canadiana Telegraph Company.—(Mr. McCarthy.)

Bill (No. 55) To amend the Act 40 Vic., cap. 72, intituled an Act respecting the Beaver and Toronto Mutual Fire Insurance Company.—(Mr. McCarthy.)

#### PUBLIC FUNCTIONARIES SALARIES REDUCTION BILL.

(Mr. Béchard.)

##### FIRST READING.

MR. BECHARD introduced a Bill to reduce the salaries and allowances of certain public functionaries and officers, and the indemnity to members of the Senate and House of Commons. He said: The object of this Bill is to secure economy in the Public Service. It proposes to reduce the Governor-General's salary to \$35,000, but not to affect the salary of the present Governor-General. It will, if it becomes law, effect a reduction in the salaries of Ministers of the Crown, and a large number of other public officers. On the second reading of the Bill I will explain it more fully.

Bill read the first time.

#### HURON AND ONTARIO SHIP CANAL.

##### QUESTION.

MR. STRANGE enquired, Whether it

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is the intention of the Government to recognise the importance to the Dominion of the construction of the Huron and Ontario Ship Canal; and if so, to what extent are they prepared to promote this public work.

SIR CHARLES TUPPER: The Government fully recognises the importance of the Huron and Ontario Ship Canal, but it is a work of such magnitude as to render it quite impossible for the Government to offer any aid to it at present.

#### MANITOBA PROVINCIAL BUILDINGS.

##### QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government to commence the Provincial Buildings this year in Manitoba, as promised in 1879 to the Ministerial delegation from that Province.

MR. LANGEVIN: It is the intention of the Government to ask for a vote of money for that purpose this year.

#### MANITOBA—EXTENSION OF LIMITS.

##### QUESTION.

MR. ROYAL enquired, Whether the Dominion Government proposes this year to extend the present limits of the Province of Manitoba, so as to include westward the establishment of the Little Saskatchewan, and eastward the undisputed belt of territory between the pretended western limit of Ontario and the existing eastern limit of Manitoba.

MR. LANGEVIN: It is not the intention of the Government to extend, this year, the present limits of the Province of Manitoba, and no action will be taken before the presentation of the report of the Committee now investigating the subject of the boundaries between the Province of Ontario and the Territories of the Dominion.

#### MANITOBA—EMIGRATION AGENT AT ST. BONIFACE.

##### QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government to appoint an Emigration Agent at St. Boniface to receive the emigrants and to give them the necessary information and assistance which the Provincial Government and private citizens had to afford during the last season.

MR. POPE (Compton): It is not the intention of the Government to have an

agent at St. Boniface, but it is our intention immediately to erect a temporary bridge across the river so as to use the present sheds on the other side, and to erect an hospital there as soon as possible to give such accommodation as is needed. Heretofore, people sick with scarlet fever, measles and other contagious diseases, had to occupy the same sheds as the healthy. We hope to avoid this state of things in the future, and avoid the necessity for having them landed on the St. Boniface side of Red River.

## RAILWAY STATISTICS.

## REMARKS.

MR. FLEMING: I desire to call the attention of the hon. the Minister of Railways to an Order of the House, which was issued last Session, asking for a return showing the number of persons employed on the 21st of December then preceding on the respective railways in the Dominion; also a return of all accidents which had occurred on the railways of the Dominion during the year 1878. Now, the return which has been brought down gives only the number of accidents which had occurred on the Intercolonial Railway and the Prince Edward Island Railways; no account whatever is given of the accidents which have occurred on the other railways of the Dominion, and no notice at all has been taken of that part of the order calling for the number of persons employed. It is very important to have these returns, in order that a comparison may be made between the number of persons employed in a particular service and the number of accidents that may have occurred in the prosecution of that work. I hope that the hon. Minister will see that complete returns are brought down.

SIR CHARLES TUPPER: I will make an enquiry and ascertain why the return has not been made as complete as was asked for.

MR. MACKENZIE: I would also like to ask whether the Government have determined to discontinue the Annual Railway Report, that was begun in 1876, and was issued for two or three years.

SIR CHARLES TUPPER: I think it will be found that it was issued last year. I know it was prepared, and I think I am safe in saying it was issued. It is in course of preparation for this

year, and I expect to be able to lay it before the House at a not distant date. It is not quite complete for the present year, but it is complete for the last year. It is intended to continue it just as it was begun.

MR. MACKENZIE: It seems to me extremely important that we should have very careful statistics of the railway system, with a view to aiding in legislation in the future. I would much rather see the hon. gentleman extend the statistics than to curtail them. It will be of much benefit also to have a map accompanying the report. I think there was no map when the first one was issued. The map should show all the changes that have been made in the railway legislation of the Provinces as well as here.

## INSOLVENCY ACTS REPEAL BILL

(BILL 2.)

(Mr. Colby.)

## THIRD READING.

Bill read the third time and passed, on a division.

## PREVENTION OF CRIME BILL.—[BILL 19.]

(Mr. Blake.)

## SECOND READING POSTPONED.

Order for second reading read.

MR. BAKER: Mr. Speaker, I do not propose to offer any reflections upon the propriety or impropriety of permitting important legislation affecting the Criminal Law of the land to drift into the hands of private members of this House, however eminent they may be for intellectual power, for professional attainment, or Parliamentary experience. I merely propose, Sir, to offer a few remarks upon the merits of the Bill which is now presented for our consideration, and to assign one or two of the many reasons which, in my opinion, may be urged against its adoption, at all events in its present form. The Bill is based on the Imperial Statute 34 and 35 Vic., cap. 112. That Act was the natural outcome of the system which had been engrafted upon the Criminal Law of England under what were known as the Penal Servitude Acts. And whatever may be said about the wisdom of its adoption in England, it is certain that public opinion is very much divided there as to the efficacy of the Act in the pre-

vention of crime. In this country it is to be remembered that a totally different state of society prevails. We fortunately know little of some of the worst evils engendered by an overcrowded population, and it may fairly be doubted whether the public mind is prepared for the introduction of the system of police supervision which forms one of the essential features of the Bill. It is a system which has the effect of closing the door against those who, having committed crimes, are disposed to return to a life of honesty. It is true that facilities for the detection of crime are powerful factors in its repression; but the certainty of punishment once imposed, is a factor far more important. It is essential that men who have committed grave crimes should know that punishment will follow conviction—that their sentence will be carried out, and that except under very exceptional circumstances it will not be in any wise relaxed. Now, looking at the returns accompanying the Reports of the Prison Inspectors, submitted to Parliament by the hon. member for West Durham (Mr. Blake) while he was Minister of Justice, we find the startling fact that during the three years ending on the 31st of December, 1876, the Executive clemency was exercised no less than forty-five times. In five and forty instances a free pardon was granted to persons who had been convicted of grave crimes, and who had been sentenced to various terms of imprisonment in the penitentiary. The offences for which these persons were convicted and subsequently pardoned were as follows: Rape, fifteen; murder, three; manslaughter, seven; robbery, eight; burglary, twelve. This catalogue embraces most of the grave crimes, for the suppression and punishment of which the aid of Parliament is from time to time invoked. And yet we find, Sir, that during this period forty-five of these criminals, desperate in their character—if that character can be estimated from the nature of the offences for which they had been convicted—by the exercise of the Executive clemency, for which the hon. member (Mr. Blake) was himself largely responsible, were turned loose upon society. And this list, it is to be remembered, does not embrace the long line of cases in which, during the same period,

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the punishment of offences was relaxed by Executive interference, and the sentence of death commuted to imprisonment in the penitentiary for longer or shorter periods of time. By these Executive acts—by this Executive interference, if I may so speak, with the natural course of justice and its administration in Canada fresh courage was afforded to the criminal class, and a new impulse given to the commission of crime. Is it possible, Sir, that the hon. member (Mr. Blake) sees in the increase of crime to which he referred in introducing his Bill (and which curiously enough, embraces the period immediately following the events to which I have alluded, is it possible that he sees in this increase the natural if not the necessary result of this meddling Executive clemency, and that he now offers the present Bill as a propitiatory sacrifice to an outraged public opinion? If so, Sir, the offering is utterly inadequate. It purports to be a copy of the English Act, but it is simply a caricature. The worst features have been exaggerated and intensified to such a degree that I hope, and I believe, that this House will either reject the Bill altogether, or so modify and restrict its provisions in Committee as to make it in some degree tolerable, which, in its present form, it certainly is not. The first section provides for the registration of convicts, and the appointment of a Registrar; but there is no provision for the payment of such an official. The second provides for taking photographs of criminals; and here, too, no provision is found in the Bill for meeting the expense to be incurred. By the third section it is proposed to subject an offender, twice convicted of a crime (as defined by sec. 6), to imprisonment with or without hard labour, for a period not exceeding one year, if it appears to the Court that there are reasonable grounds for believing that he is getting his livelihood by "dishonest" means. This is certainly a very large and exceptional power, and it represents a principle hitherto unknown to our law. It proposes to arrest a man upon mere suspicion, and to place him at the mercy of the magistrate's caprice. It practically places every suspected man in the power of the constable and magistrates, who are left to determine, according to their own

peculiar views of morality, what may be a dishonest means of living. Many a man of irreproachable honesty has been convicted twice of crime within the meaning of this Bill (for common assaults are included), without forfeiting in any degree the respect of his fellow-men. And to say that such men are to be subject to imprisonment upon suspicion, at the whim of the justices, is so absurd that I trust the House will not entertain the proposition for one moment. It is a power entirely too great and too arbitrary to be entrusted to the tribunals proposed to be invested with jurisdiction under the provisions of this Bill. Section 4 relates to the supervision by the police. I said that this Bill was a caricature of the English Act. So it is. The definition of the word crime, in the 6th section, creates a departure from the English Statute, and changes the whole scope and intent of the measure. It enlarges and extends its operation to the most trivial offences. There the measure was proposed and carried as an extension of the ticket-of-leave system, which required the licensee to report himself to the authorities as a matter of precaution and necessity. But it was limited to certain of the graver offences mentioned in the Statute—indictable offences—and the party to be subjected to supervision must be convicted “on indictment.” Here, however, it is insisted with all the solemnity which properly appertains to proceedings in Parliament, that a man, twice convicted of a common assault shall be liable to be placed under the supervision of the police for seven years. This would be an interference with the liberty of the subject, which seems intolerable, and to which, it is to be hoped, the House will not lend its sanction. We shall be told, and it is obvious, that this Bill is not promoted on behalf of criminals, but on behalf of the law-abiding portion of the community. Even so, it is an extension of our system which does not appear to me to be at this time called for. And I therefore move that this Bill be not now read the second time, but that it be read the second time this day six months.

MR. McDONALD (Pictou): The Bill introduced by the hon. member for West Durham (Mr. Blake) contemplates a very

serious change in the law of the country. It is a subject which I have reason to know the hon. gentleman has had ample opportunity to study, and I presume that the Bill he has laid before the House is the result of that great deliberation which so important a change in the law would require. In 1876, when he was Minister of Justice, a report was made to him by the Inspector of Penitentiaries for the Dominion, in which the main elements of the Bill before the House were suggested, though not in the exact form now presented. The hon. gentleman, therefore, had the ample opportunity of giving the subject his deliberate consideration, and it is to be regretted that in this Bill the results have not been more satisfactory. I do not say that, under certain circumstances, some of its provisions might not be beneficial in the administration of criminal justice in this country and I do not preclude myself, in the position I shall assume at present, from the consideration of the subjects at a future time. Until the hon. gentleman introduced his Bill, the expediency of introducing that element or feature of criminal procedure had not engaged my attention. Therefore, I am not in a position to speak as positively as to the probable operation of the measure as I otherwise should be. But, from the consideration I have been able to give to the subject, and from the reports made to me by those more directly connected with our Penitentiaries, the subordinate officials, who are more intimate with the operation of the law, I regret that I shall be obliged to ask the House to concur in the opinion of the hon. member for Missisquoi (Mr. Baker). I regret this extremely, because there is no man in the House disposed to entertain greater respect for the legal knowledge and the sound judgment of the hon. member who introduced this measure than I am; but I differ with him as to the propriety of its introduction at present. There are at least one or two features of it which should not be adopted without ample consideration; and there are many features that, while they might promote in some degree, if carefully considered, the objects in view, still might contribute very largely to the annoyance of the people and a partial

administration of criminal justice without resulting in any benefit whatever to the general public. I will take up the provisions of the Bill *seriatim*, and state the reasons why I think it would be more prudent not to read it a second time, and why, instead of allowing it to go to a Committee, it would be better to leave it over until next Session before which the subject could be considered by the Government and hon. members, who would be able to take it up next Session better informed, not only as to the principles and details, but the probable operation of the Bill. I have some doubts as to the necessity of the clause requiring photographs of prisoners, inasmuch as it would appear, by virtue of the Act of 1875, 9th clause, that the Inspector of Penitentiaries might have it in his power, did he consider it necessary in the public interest and for the promotion of the due administration of justice to obtain that object. The following is the clause to which I refer:—

“9. The Inspector shall have power, and it shall be his duty to make rules and regulations for the management, discipline and police of the Penitentiaries, and for the duties and conduct of the Wardens thereof, and of every other officer or class of officers or servants employed therein; and for the diet, clothing, maintenance employment, instruction, discipline, correction, punishment and reward of convicts imprisoned therein, and to annul, alter or amend the same from time to time, subject to the approval of the Governor in Council, which rules and regulations so approved, the Wardens of the Penitentiaries, and every other officer and servant employed in or about the same, shall be bound to obey.”

Now, those words give very extensive powers to the Inspector of Penitentiaries, with respect to all rules he may consider desirable relative to the police and general management of our Penitentiaries, and therefore I think, if the powers already embraced in that clause are possessed, it is unnecessary. At any rate, I think that we should be very careful in giving the Governor in Council a power almost amounting to the crucifixion of those persons. The photograph of a person stamps him for ever throughout the world, wherever the likeness is sent, as a man to be regarded with distrust, and puts it out of his power at any time, even if he desires it, to restore himself to the position in society he has lost by his crime. We all know that not only

occasionally, but in a great many instances, men by accident or irresistible temptation, or, at any rate, without the intention or desire to live criminal lives, fall into the category which would be embraced under this Bill; and, while habitual criminals should be particularly guarded against and repressed and punished, and every facility afforded for the detection of fresh crime, still the reclaimable class should not, by the operation of such laws as this, be driven to desperation and into courses which, under other treatment, they would not adopt. The registry of criminals may be desirable; but, in all prisons and Penitentiaries, a registry is now kept from which information with reference to the crime, its character and nature, the residence of the offenders and statistics of that kind can be obtained. This description of the criminals, their physical appearance, character, etc., is taken with the object of affording every facility for their detection. Now the main difficulty of the Bill is the stringency of its provisions with reference to police supervision. Our position is very different from that of the English people, or the inhabitants of any Continental country. In the large cities abroad, criminals gather in large numbers, and form, from long association, a distinct class, and, as soon as they are discharged from prison, they resort to their old haunts, and resume their criminal courses. Though this evil may to some extent exist here also, from the nature of our country and social circumstances, it can but exist to a limited extent. The Bill would extend the police supervision over the rural districts also. The Superintendent of Penitentiaries, in the report I have in my hands, gives it as his opinion that its extension to the rural districts would be very inhuman, and would largely prevent persons convicted of less aggravated offences from rehabilitating themselves in the eyes of the community and returning to moral and honest lives. From the 3rd section and sub-section of the Bill, the House will see what a sweeping measure it is, and how comprehensively it embraces not only the hardened criminals but those even whom the Judges characterise as persons only deserving of imprisonment in the common jail. I desire the careful attention of the House to the latitude given to the constables, a class not in all

cases to be trusted with such power, even over the class to which the Act would apply. I do not say that, in so far as the habitually criminal class are affected, some provision, carefully guarded, would not be beneficial; but under this Bill any person convicted of crime, on being charged by a constable with getting his livelihood by dishonest means, or appearing to do so, would be brought within the scope of the law. The language, besides, is vague. Who is to try him—an ordinary Magistrate, or the Court that convicted him, or a Court of Inferior Jurisdiction? To give a mere constable of an ordinary municipality on the pretence of a suspicion, who may desire to blast the prospects of a man whom he dislikes, the power prescribed in the Bill appears perilous and unwise. In England, Ireland or on the Continent, where the police force is thoroughly organised and closely superintended by the Government or Commissioners, great authority might perhaps be entrusted to a member of the body in the way here proposed; but matters are very different in this country. The Act could be abused in the most serious way. A constable, meeting a man in a country lane, might say: "I suspect you of being a convicted felon; you are subject to this Act, and I will take you before the Court;" and, if the person refused to give his address, there would be no way of his escaping the punishment prescribed. An innocent man might have his name published as having been arrested by a constable, charged with being a criminal, and be obliged to be at the trouble and expense to prove his innocence. The 2nd clause would give a jurisdiction so large as to make it worth while to consider gravely the result or the effect of the law before passing it. The observations I have already made apply to that. If it were made applicable only to classes in the cities living habitually in crime, and we had the means of carrying the law into execution, I do not know that the provision might not be acceptable. But, as the Bill stands now, I do not think it would be acceptable to the general public, and, so far as I have been able to learn the sentiments of this House, it is not acceptable to this House. Therefore, I would have preferred to ask the hon. gentleman to let the Bill stand, but, as it is in the discharge of the duty I

owe to this House, I shall have to ask the House to concur in the motion of the hon. member for Missisquoi.

MR. BLAKE: I cannot quite understand the hon. the Minister of Justice entertaining the views he expresses upon the motion of the hon. member for Missisquoi (Mr. Baker). I do not propose to enter upon a discussion of the mode in which the Executive clemency was exercised under my advice, while I was responsible for that difficult and delicate branch of the administration of justice. I shall only say, that in advising the exercise of the prerogative, I acted to the best of my ability upon the principles upon which my predecessors had acted; and my belief is that it would be found on examination that that prerogative was exercised upon those principles and with much the same results. The hon. member for Missisquoi asserts that the Bill is intolerable, and that it is out of the question that we should create any such infringement of the liberty of the subject as here proposed. I am free to admit that there is a certain class of the population, too numerous I regret to say, to whom this Bill is very obnoxious, and I am sorry to think that they have so large a number of supporters and admirers in this House, as is indicated by its present temper. In moving the introduction of the Bill, I confined myself to the statistics then available, namely, the Penitentiary Statistics. My hon. friend the Minister of Agriculture has been good enough to send me an advance copy of the General Criminal Statistics, to which I then referred, and I find that the increase of crime throughout the community is even more startling than I supposed. In 1876, there were no less than 28,000 convictions; in 1877, there were 30,000; and in 1878, the last year embraced in the returns, the number of convictions reached 33,000. A very large proportion, of course, of these convictions is for minor offences. It will be found that the number of persons who were proved to have been convicted in these years, twice or oftener, is so ridiculously small that the importance of providing some further machinery for recognition of old convicts, anterior to their trial for a second offence, would be demonstrated by looking at these figures. The objection taken to the operation of the Bill on persons who have

been once, or more than once, convicted, I do not regard as very cogent. The hon. member says that persons of irreproachable moral character may come under the operations of this Bill, inasmuch as such persons may retain their character in the community although they have been twice convicted and sentenced to the jail. I do not propose to speak for Missisquoi, but in that portion of the country which I represent a person would suffer under no inconsiderable stigma in the community from having been even once, and still more from having been twice convicted, even of such a crime as assault. With reference to the remarks of the hon. the Minister of Justice, he does not commit himself against the principle of the Bill. He says he holds himself entirely free to agree with many of its important provisions at some future time. His objections are not such as should prevent the measure from receiving a further stage, because they are objections wholly to the details. He objects that some of the clauses are too wide and insufficiently guarded in reference to the class of persons to whom they are to apply. In some of these objections there is some force, though I do not agree with the criticism, but if desirable the clauses can easily be changed and improved in Committee in the direction indicated, without at all interfering with the principles of the Bill. Now the first provision of the Bill is a very important one. It secures a better identification of criminals. He takes exception to these clauses on the ground that the Penitentiary Act and rules sufficiently provide for the case. But he has not sufficiently considered the question. These clauses might be applied to a very large proportion of the 30,000 odd convictions that occurred last year, out of which there will not have been more than a few scores or hundreds of convictions to the penitentiary. This Bill is not confined to penitentiaries. Its object is to obtain means of recognising, not merely those who have been sentenced to a penitentiary, but those who have commenced a career of crime; to obtain, at the earliest possible moment, a register of the particulars of those who shall have been convicted and sentenced to the common jails as well as the penitentiaries. What we want is that there should be material for knowing whether a person coming up

for trial is one who has fallen for the first time from the path of virtue, or whether he has been convicted before. We all know that hardened criminals take care to be tried, as a rule, by the Judge, under the Summary Jurisdiction Act; because but a short time elapses before their trial; because the trial takes place without the publicity that would attend an assize, and because they come up and are sentenced under an *alias*. By this means they are able to escape the severer punishment which Judges should give, and which the interests of society demand should be given to habitual criminals. The observations I have made with reference to registers apply to photographs. The second clause of the Bill provides for photographing, under the directions of the Governor in Council, of persons sentenced to the jails or penitentiaries, or of any class of persons he chooses to be ordered to be photographed. If it is thought that every person sentenced to jail should not be photographed, it is quite competent for the Governor in Council, or the Parliament, to provide that only those sentenced for the more serious classes of crime be taken. The hon. gentleman suggests that photographing would prevent the criminal who has once fallen from going back to the path of virtue. But this photograph is not for publication in a comic paper. It is not for publication in any way or sense. It is simply and solely for the use of those whose business it is to protect society against the habitual criminal, in order that if he comes again within the hands of the officers of the law they may be able to ascertain whether he is an old hand or one fresh at the business. I have received two letters since the Bill was introduced, one from a gentleman who has had a large experience on the Bench and at the Bar. He says that for twenty years he has been wishing for a movement of this kind. He says old and hardened criminals object to being photographed more than any other thing, not because of its degradation, but because it gives greater facility than anything else to the recognition of old criminals coming again under the operation of the law. I do not know that we ought, at the expense of honest men, to consider the finer feelings of this class of society and to subject ourselves to their depredations because, forsooth, they do not like to be placed in the rogues

gallery. The hon. gentleman objects to clause 3, on the ground that it creates a new crime. He says that the result of sub-section A, is that an innocent person charged by a constable would have to prove his innocence. This section applies only to persons who have been once convicted; but if it is thought that it should only apply to prior convictions for certain classes of crime, nothing can be easier than to make the amendment.

MR. McDONALD (Pictou) : I think the hon. gentleman has misapprehended me. He has stated that I said a new class of crime was created by the third clause. What I said was that it was creating a new crime without giving the person charged an adequate opportunity of protecting himself.

MR. BLAKE : I do not know what the hon. gentleman calls "an adequate opportunity of protecting himself." Are we to wait until our persons are assaulted, our purses stolen, or our houses robbed, before we deal with individuals who have been already proved to belong to the criminal classes? The hon. gentleman has made a general observation with regard to the Court that is to try these cases, but that is a matter of detail I think satisfactorily disposed of, but at any rate perfectly easy of settlement. Under sub-section A of clause 3, when you find a man who has been already proved to be guilty of crime, and you have reasonable grounds for believing that he is getting his livelihood by dishonest means, you do not want to wait until he can be proved to have actually repeated the crime. If there are reasonable grounds for believing he is getting his livelihood by dishonest means he should be liable to judgment. So with reference to giving a false name and address by a person who has been once convicted. I confess I can see no reason for this excessive tenderness towards the criminal classes of the population. The statistics indicate that the tide of crime is on the rise. We have no ground for congratulating ourselves in reference to the moral condition of the country, and some repressive step is required to prevent the further increase of the evil, growing so rapidly as it is, in the large cities more particularly. To the third clause, as to police supervision, the hon. gentleman took his chief objection; but even as to that he

said that if it were applied more prudently with reference to persons living in the cities who had been committed for the graver classes of crime, it would not be objectionable. If so it is extremely easy to amend that clause. This provision is not a provision that follows a first conviction. It is not a provision that follows even upon a second conviction. It is discretionary with the Court, after one conviction has been followed by a second conviction, to add a sentence of police supervision, for such term as the Court thinks proper. The man must have been subjected to imprisonment on two prior convictions, and after that he must be, in the opinion of the Court, a fit subject for police supervision before he can be subjected to it. Police supervision may be for a year, or for any term not exceeding seven years. Those who live in the larger cities of this country, and know something of the mode in which police business is carried on, will recognise the importance of this provision. It is said that it would not do for the country places. I think it would; but it is easy to modify the clauses to meet the views of the Minister of Justice in that particular; and I cannot see why the Bill should not be allowed to be read a second time and referred to a Select Committee. I understood the hon. Minister, when a Bill was introduced the other day by my hon. friend from Hamilton (Mr. Robertson), to say that he disapproved of every one of the provisions of that Bill, but still he said it might go to a second reading and be referred to a Select Committee. Now he approves of some of the chief provisions of this Bill, and yet he thinks it should not be read or referred to a Select Committee. In introducing the Bill I stated that the proposed reforms ought, in my opinion, to take place, and I am still strongly impressed with the wisdom of that view. I added that while I did not think any member should be debarred from introducing and submitting for discussion any reforms in the Criminal Law of this country, I was persuaded of the importance of the responsibility of the Government being engaged for changes extending over so large an area, so many different Civil Laws and social customs; and while I think the hon. gentleman might well have permitted this Bill to go fur-



ther, if he adheres to his view that it must receive a different and more summary treatment than was accorded to the Bill of the hon. member for Hamilton the other day, I shall certainly not trouble this House, constituted as it now is, with a division.

Mr. PLUMB: I was not at all surprised to see the feeling manifested in this House in regard to this Bill; and I do not think the hon. gentleman who has brought in this Bill has quite the right to say, in a sarcastic manner, that there are so many friends and sympathisers with the criminal classes on this side of the House. I heard, once in my life, that there was a certain solicitor who was so uncertain of himself that he did not dare to make out a bill of costs, for fear of overcharging, but always gave the items and got the taxing-master to put in the figures, for, if he attempted to make the charges himself, his avidity was sure to lead him into trouble. My hon. friend has introduced a Bill containing many acceptable clauses, if he had not overriden them with the severity which has characterised all the criminal legislation that he has brought before the House. He says that there are convictions to the number of 30,000, of which about 1,200 only are penitentiary cases. Yet he wishes to make the Bill under consideration so stringent as to apply, not only to convicts who are sentenced to the penitentiary, but to any unfortunate person who may, by accident or temptation, happen to fall into crime. He proposes that the accidental misdemeanant shall be treated like an habitual criminal. Nothing could be more conducive to the increase of crime than this unchristian severity. He says these offenders are on the way to become habitual criminals, and this Bill is intended to stop them on the threshold. It would not be conducive to the public good to adopt such a system as has been adopted lately in the Biddulph tragedy, where we see the most atrocious representations of persons supposed to be connected with the murder and arson, paraded under sensational headings in the daily newspapers; but who, after the whole matter has been made the subject of an inquest, have not been held to trial. I object very strongly to that clause—which places in the hands of the village constable the power to lay hands on any person he pleases in his wisdom to suspect.

MR. BLAKE.

I say that is a kind of discretion similar to what we read of as having been given to the watchman by the immortal Dogberry and his intelligent confrere Verges, in *Much Ado about Nothing*. Dogberry asks: "Who think you the most desertless man to be constable," and charges him thus:

"You are thought to be the most senseless and fit man to be constable of the watch. This is your charge: you shall comprehend all vagrom men; you are to bid any man stand in the Prince's name.

"How if he will not stand?"

"Dogberry—Why, then, take no note of him, but let him go; and presently call the rest of the watch together, and thank God you are rid of a knave.

"Verges—If he will not stand when he is bidden, he is none of the Prince's subjects.

"Dogberry—True, and they are to meddle with none but the Prince's subjects. If you meet a thief you may suspect him, by virtue of your office, to be no true man; and, for such kind of men, the less you meddle or make with them, why, the more is for your honesty.

"Watch—If we know him to be a thief, shall we not lay hands on him?"

"Dogberry—Truly, by your office, you may; but I think they that touch pitch will be defiled. The most peaceable way for you, if you do take a thief, is to let him show himself what he is, and to steal out of your company."

The constables make an arrest, of course, and honest Dogberry and Verges and the Sexton examine the prisoners:

"Dogberry—Is our whole dissembly appeared?"

"Sexton—Which be the malefactors?"

"Dogberry—Marry, that am I and my partner."

The same sort of intelligence will still be found among some of the magistracy and constabulary of our rural districts, and I should be sorry for any person who, after such legislation as this, should happen to fall into the hands of the ordinary village constable. Why, it is not long since it was stated in the London papers that the Metropolitan Police—a picked body of men, supposed to be of superior intelligence—arrested an unfortunate man attacked by apoplexy, which was supposed to be something attributable to alcoholic stimulants, locked him up through the night without medical attendance, and the gravest consequences ensued. My hon. friend proposes to leave the operation of the law to the discretion of the humblest official known to the law except the Court-crier. It will operate against any man

whom a constable takes it into his head to bring a charge of "having no visible means of support," provided the rural Dogberry chooses to favour the views of his servitor. I think that clause is one which should warn this House against the whole Bill. Every man is interested in a law of this kind. Every man, whether lawyer or not, is competent to judge upon it; every member is responsible for the laws passed in this House, and is therefore called upon to weigh them carefully, no matter by what high authority introduced, although he may become the object of the bitter sarcasm with which the hon. gentleman from West Durham (Mr. Blake) lashes anyone who ventures to question the infallibility of his judgment. The hon. gentleman asks for the postponement of our final judgment upon the Bill. He condescends to say that he will consent to its very natural modification, but I think a gentleman of such vast legal experience, such great acumen, and such acknowledged skill as is conceded to him in matters of this kind, should not have given us a Bill that could elicit such unfavourable criticism as that with which this Bill has been met. He should have given its clauses mature consideration, determined that they were right, and then should have been fully prepared to stand by them in every particular, and should never have suggested an attempt to reconstruct it. There was no necessity for such hasty legislation. As to photographing criminals, he tells us that the photographs are to be kept in the prison, but they are useless unless they can be published to the world; and publicity may be the means of preventing many a man who has repented of his crime from going back into respectable society. We know how many a man has tried to screen himself somewhere away from the scene of his transgressions under another name. He must not be blamed for the attempt thus to hide his shame; to lead a new life of honest labour. In this Bill it is provided that such a praiseworthy effort is criminal, and that he shall not escape recognition. There was a society in the United States, at the head of which was a gentleman of the most philanthropic views; a society devoted to the procuring of employment for convicts who came out of prison disowned by the world, strangers, friendless and shunned.

This gentleman himself told me many touching stories of those who, in their discharge from confinement, desired to lead honest lives, but who, on account of the stigma fastened upon them, could not escape, but were forced back into their evil ways. They deserve our sympathy as much as the hardened class of criminals deserve severe legislation. I would rather that fifty men should escape than one such unfortunate man should suffer under a law like this, which I can only characterise as evincing almost unchristian severity, although I know it is not the intention of the hon. member who drew it to err on the side of harshness; but I think the hon. gentleman has allowed his intense antipathy to crime to carry him too far. It has carried him to the point which renders it the duty of this House to refuse to deal further with this Bill than to mark its strong disapproval of it as a whole, and I hope the motion of my hon. friend from Missisquoi (Mr. Baker) will be received and accepted by a large majority if it should be deemed necessary to demand a vote upon it.

MR. MOUSSEAU: I must take exception to the views of the hon. member for West Durham. He said it is very important, when a prisoner is under trial, that it should be known to the Court whether it is his first, or his second, or his third offence, and that the only means of securing that knowledge would be the registers of the Court. I think that is a measure which is entirely useless, which would necessitate the providing of new machinery, and entail expenses which the country cannot afford. If these registers were kept, they would, of course, be necessarily public. What would be the result? It would be this: when the trial would take place, a great many jurors would know that the prisoner had been previously convicted of an offence. Now, everybody knows that the Crown has no right to let it be known that a prisoner has been tried or convicted before. The necessity and usefulness of that knowledge comes after the verdict of the jury. The Judge must know if the offence is the first, or the second, or the third, in order to fix the punishment to be dealt out to the hardened criminal. But that knowledge, in the Province of Quebec, is within the reach of all the Courts, so that,

when a prisoner is under trial, it is well known whether he is being tried the first, or the second, or the third time, or whether he has been convicted one, two, or three times; and if the prisoner comes from another district, the Courts can get the antecedents of the prisoner from the other district. I contend that this provision, which is the chief matter of the measure, is entirely useless. It involves principles higher than mere procedure, and opens the way to another argument, another branch of reasoning. The practical result of the Bill will be to make all the convicts of this country a special class, designated to public opprobrium. Now, I say that our community is too small to take that view of convicts yet. Our convicts, thank God, do not form, as in Paris and London, that degraded class who offer no hope of a return to virtue, to usefulness, and to the practice of a christian civilisation. We are not far advanced enough in this country to disdain to extend the hand of mercy and charity to our convicts. These are, I think, good and sufficient reasons why we should not let this Bill go to its second reading. I do not reproach the hon. member for West Durham for entertaining those ideas he has embodied in this Bill; they are very lofty, as were the ideas of his Aurora speech and some others. They are like the standard of political morality which was raised by the hon. member for Lambton (Mr. Mackenzie), so high that we cannot see them.

MR. ROYAL: I believe it is my duty to say a few words in connection with the impracticability of this measure in the unorganised Territories of Keewatin and the North-West and perhaps to a certain extent in Manitoba. There is no doubt that we have unfortunately in that region of country the leading element with which this Bill deals, that is to say: the crime and the criminals, but there are very few photographic establishments and very little police. The registration of criminals, I believe, is a sound principle, and if carried out, even to the extent contemplated by the hon. gentleman's Bill, will certainly do a great deal of good. With respect to photographing criminals, we must take into consideration the possibility of this provision as well as the other intrinsic merits of the Bill. Has the hon. gentleman ever considered the

enormous additional expenses that his measure would necessitate in the North-West and British Columbia? In Keewatin, for instance, I am not aware that there is one photographic establishment. There are no Sheriffs in Keewatin. So far as the law is administered in that Territory, it is done by three or four constables. In Manitoba the organisation is more complete, and I suppose that in that respect the provisions might, with a considerable additional expense, be carried out. But there is only one Sheriff for the whole North-West Territory. We have a few police posts in the southern parts of that Territory; but, supposing, as the hon. gentleman says, that it may be discretionary with the Judge to impose police supervision, yet this discretionary power would be of no avail, because it would be impossible for a Judge to establish such a supervision in that Territory. Therefore, though we possess one element of the Bill, the criminals, we are badly wanting in the two other elements, which are generally only to be found in older and more civilised communities. Now, the measure may be very good when applied to a very advanced, civilised community, and to large cities, but, when the hon. gentleman includes Manitoba, Keewatin and the North-West Territories and British Columbia in the scope of his Bill, I think he cannot have taken into consideration the exceptional circumstances of that immense and interesting region. With regard to the punishment to be inflicted on persons convicted of crime, it strikes me that sending a man twice convicted to jail for a year, simply because he is found in suspicious circumstances, is not giving him the benefit of the doubt to which criminals are entitled, and shakes the basis of our Criminal Law. How can you reasonably expect the reformation of the criminal and his restoration to honest life if you stamp him as an outcast, however small may have been his crime? Laws will never make men moral and honest; their object is to protect life and property, and to punish, with a view to the reformation of the convict, in most cases. I do not intend to enter into a criticism of the principle of the Bill. I have tried to show the hon. gentleman that his Bill, as regards a large portion of Canada, is impracticable. If the whole

MR. MOUSSEAU.

Bill was to be applied to Canada, it would be five or six years before we should have in the North-West the necessary machinery for putting it into operation.

MR. HOLTON: I wish only to say a very few words, because I really feel, not only incompetent, but very unwilling to engage in a discussion of a measure of this kind, which has engaged so much of the attention of the legal members of the House. But I must say that I think the proposal to reject the Bill altogether is not a proposal that ought to meet with the favour of this House. I think we must all admit that the object of the Bill is a good one; I think we must all admit that some of its provisions are useful, and would meet with the approval of the House if the Bill were considered in detail by its clauses. But there are clauses in the Bill which I should feel great reluctance in voting for, so great as perhaps to lead me to vote against the Bill on the third reading, if it should come back with those clauses. The 3rd section and sub-sections, for instance, not to go any further, do embody principles which are at variance with those principles which I have been educated in, and have been long accustomed to consider as sacred. I think, therefore, that the Bill ought to receive its second reading, and ought to be sent to a Select Committee, and ought to be carefully considered in its various clauses, and be really disposed of on its merits. It is poor encouragement to distinguished members of the legal profession in coming to occupy positions in this House, who bring to the consideration of measures of this kind the high ability and experience which they possess, in submitting measures of this kind to the House, to have them rejected contumeliously, in point of fact, as the six months' hoist undoubtedly does. I happened to hear the other night, not following these discussions, perhaps, as closely as I might, the hon. the Minister of Justice discuss all the clauses of a Bill proposed by an hon. gentleman sitting on the other side of the House, and condemn most of them, I believe.

MR. McDONALD (Pictou): Not all of them.

MR. HOLTON: The essential features of the Bill, at all events, and yet considering it only courteous to the mover of that Bill to keep it alive to receive the

further consideration of its details. Now, I think the same courtesy ought to be extended to the mover of this Bill. The object, as I stated before, is unquestionably good; no one will deny that. Some clauses of the Bill are, I am quite sure, acceptable to the majority of the members of this House, and because there are clauses which are objectionable to many, clauses which are objectionable to myself, I have no hesitation in avowing, ought we to reject the Bill altogether and put it out of the power of the House to consider the subject, to amend the Bill in its defective features, if the final judgment of the House should be that these features are defective; I say, is that the course we ought to pursue? I think not. I shall therefore, for myself, feel constrained to vote against the motion to reject the Bill altogether. I believe that that is the fair-minded, I may say the usual, course in relation to Bills of this kind.

MR. WHITE (Cardwell): There is no doubt that the remarks of the hon. gentleman from Chateaugay (Mr. Holton) as a general principle are correct, and that it is not desirable to reject measures on their second reading where there is anything in the principle of the measure which meets with approval; and that measures such as this, introduced by a distinguished member of the House, ought, as a rule, to go to the further stages and be considered as to their details. But it seems to me that the principle of the particular Bill which we are now discussing is essentially a bad principle, as far as I may be permitted to express an opinion upon it as a layman. What is the principle of the Bill? It is simply this: that every man who has been convicted twice shall have the mark of Cain upon him for all his life, as a person unfit to mix in respectable society, be under police supervision, be in fact so stamped as to render his recovery from crime impossible. No amount of modification of the details can alter that principle of the Bill. Therefore it seems to me that, in dealing with this measure as proposed by the hon. gentleman from Missisquoi (Mr. Baker), we are not controverting the principle laid down by the hon. member for Chateaugay, for it is the principle of the Bill itself that we are discussing on the

motion for its second reading, and we are rejecting the second reading on the ground that its principle does not meet with the approbation of the House. The hon. member from Chateauguay himself admits there are details in the Bill which he cannot approve. I say nothing in regard to the registration of criminals, or to the photographing of criminals, both of which are provided for sufficiently under the law as it stands to-day. Therefore there is no special necessity for an amendment to the law in that respect. As a matter of fact, it would be a great misfortune for every person who is convicted twice of common assault to be placed, as the hon. member for West Durham (Mr. Blake) put it, in the rogues' gallery, and be registered for all time afterwards as a criminal. We all know that gentlemen are sometimes convicted of common assaults under circumstances that ought not certainly to degrade them in any way, or send them to be pilloried as criminals in society. I venture to say that most of the members of this House can recollect cases where men in high position in this very city have only escaped from being brought before the Police Court for common assault by the efforts of friends, who effected an amicable settlement. The other day, in Montreal, what did we see? A man who was engaged in a mercantile agency business, a sort of registration of people who do not pay their debts, went into the place of a respectable business man and asked some question, when the proprietor of the place ordered him out, accompanying the request with an exercise of physical force. He was brought up before the Police Court and was fined, although the Police Magistrate assumed that the agency man was improperly there, but was not allowed sufficient time to leave the premises before the application of force, and therefore the accused was fined eight dollars for common assault. Suppose this person had gone in the next day and had been treated the same way, and this gentleman was brought up and fined again for common assault, is he to have his photograph taken and to be registered as a criminal, his name sent from one end of the Dominion to the other, and wherever he goes to be under police supervision, for this would be the effect of the hon. gentleman's Bill? That is the principle of the Bill there is

nothing else in it. Now, I will ask this hon. House whether a Bill of that kind, even though it be introduced by so distinguished a member, is entitled to any other courtesy than that of being accorded a six months' hoist?

MR. ANGLIN: I presume no measure introduced by the hon. member for West Durham (Mr. Blake) is regarded as entitled to any courtesy by members on the other side of the House. The principle of this Bill has not been correctly stated by the hon. member who has just sat down. The principle is that means shall be taken to render the perversity and obstinacy of criminals less dangerous than at present to the well-disposed and peaceable inhabitants of this country. I think the provisions of the Bill, based upon the assumption that that end may be attained by rendering persons of that class subject to police supervision, under certain circumstances, good in a way. But that is entirely a matter of detail. It would, however, be perfectly absurd that any person, whether called a gentleman or not, who has been guilty of assault once or twice, should have his photograph taken and placed in the rogues' gallery, and be made liable to the penalty of being regarded as a suspicious character. In the city of St John we have in our police law provisions similar to those which really enter into the formation of this Bill. Policemen are authorised to arrest any one of suspicious character found prowling around the streets during the night. This to some extent protects the property, and perhaps the persons, of the peaceably inclined inhabitants. This Bill would perhaps carry the principle much further. But there is ample scope for the discussion of this measure, and if it should pass at all I think it should be in a modified shape, for many persons differ as to the precise point to which a criminal should arrive before he is liable to have his photograph placed in the rogue's gallery. But I simply arose to put this case fairly before the House. Hon. gentlemen on the other side may agree with the hon. member for Chateauguay (Mr. Holton) when he said the Bill should not be treated ignominiously. I see no ignominy in the matter at all. The hon. the Minister of Justice, who is more especially responsible for the state of the Criminal Law in this coun-

try, has chosen to say that he has not had time to enquire into the provisions of this measure, or satisfy himself as to the manner in which it would operate—that, in fact, he does not regard it with any great favour, and must ask the House to support the amendment for the reading of the Bill this day six months. The hon. member for West Durham has said he will not ask the House to divide on the question. I think it would be well to allow the whole responsibility in regard to this question to rest on the hon. the Minister of Justice and his colleagues.

MR. McDONALD (Pictou): I must express regret that the hon. member for Chateauguay (Mr. Holton) should have thought it desirable to insinuate that the hon. member for West Durham (Mr. Blake), in dealing with this Bill, has been treated by the House in any way different from the course adopted towards the Bill of the hon. member for Hamilton (Mr. Robertson). The two Bills stood on different grounds. There was one part of my hon. friend's Bill in amendment of the Act which I thought the House might look at with some favour; and I think I stated what ought to be satisfactory to the hon. member for West Durham himself, that I had not had time to give that attention to this measure which, if it went into Committee, would enable us to meet the sentiments of the House. If I recollect aright, my hon. friend some days ago took the liberty to move the six month's hoist to a measure introduced by a supporter of the Government, and to-day we find a friend of the Government, as he had a perfect right to do as an independent member, adopting the same course towards the hon. member.

MR. ROSS (West Middlesex): I am sorry that the Government, instead of disposing of the Bill in a summary way, did not move its reference to a Select Committee, in order that the question might be dealt with in a more comprehensive manner. The House is aware that we have much to do with the criminal legislation of the country, and I understand that the object of the Bill is to do something in the way of legislation to reduce a large amount of the crime of the country. Anyone who has read the statistics of crime must be aware that there has been an alarming increase in crime. The reports show that in 1876

there were 27,000 convictions, and 33,000 in 1878, or an increase of about 20 per cent. in three years. If this matter were relegated to a Special Committee to examine keepers of Penitentiaries and others versed in the subject, I think important information would be elicited. My hon. friend from Cardwell (Mr. White) seems to think that the Bill is aimed particularly at the criminal population. There are two parties to be considered, those criminal in the eyes of the law, and those not criminals, and the object of the Bill is to protect those who are living a virtuous life, as I suppose my hon. friend is. Any legislation that would not necessarily be inhumane in the treatment of criminals and would tend to protect society against the alarming increase of crime would be a boon to the country and one of the most important questions with which this House could deal. I am sorry that the hon. the Minister of Justice did not avail himself of this opportunity to appoint a Committee to consider this whole subject in order that at some future period we might effect some legislation on this important matter. I am sure that a Committee could be found in this House who would give their whole attention to this question, and present their views as to how this alarming increase of crime can be counteracted.

MR. BUNSTER: It was with considerable alarm that I heard the hon. member for New Westminster (Mr. McInnes) state that crime is on the increase in this country. I can deny the statement as far as the country from which I come is concerned. It is not very creditable to the Dominion that such a statement should go forth to the world. For my part I take a different view of the question. If I had not the Bill before me, I would have been much astonished if any one had told me that the late Minister of Justice had introduced it, especially when I took into consideration the kindness with which he acted towards the criminals convicted before Judge and jury. When my hon. friend was in office, he pardoned a number of criminals who had been convicted of the most outrageous offences. I believe altogether he pardoned twelve persons who had been convicted of the crime of murder. He must have considered the criminals in question

unjustly or harshly condemned, or he would not have pardoned them. For him to bring in any such Bill as this is more than I could have believed he would attempt to do. I believe the six months' "hoist" is desirable in the interests of the country. I not think it desirable that we should publish to the world at large that crime is on the increase in this country. We all know that in this part of the Dominion there has been considerable crime, and a newspaper called the *Globe* has taken the liberty of publishing the photographs of some of the supposed criminals, and that paper may have to stand an action for damages. It is not very creditable for such a flagrant act of injustice to this country that wood-cuts like those in the *Globe* should be published to the world, exhibiting the features, or supposed features, of persons, all of whom might be entirely innocent of the crime imputed to them. Then the expense this Bill would entail would be immense. The taking of those photographs will add not a little to our taxation. Then again it will be injurious to a son if the portrait of his father goes down to posterity as a criminal. I, for one, would give this Bill the twelve months' "hoist" if I had my way, were I not satisfied that this House will give it as good a "hoist" as the country gave the late Government on the 17th September, 1878.

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

#### After Recess.

MR. CASGRAIN: I think that this subject is of such importance as to warrant the sending of it to a Committee, not only on account of its actual merits, but of the amendments that might be made to it. I understand that the hon. the Minister of Justice, not having had time to take the matter into his own hands, feels rather reluctant to assume the responsibility of the Bill this Session, to carry it through properly. But, even should the measure go before a Committee, and remain imperfect, there are so many amendments required by the Criminal Law, some of which could be effected at once, that I have no doubt this Bill could be amended with great advantage to the people. I think the hon. the Minister of Justice ought, between this and next Session, to find time to examine the

Criminal Laws, with a view to getting them codified as is being done in England. The subject demands consideration from the need of remedying the delays experienced in the administration of justice. Our laws are hastily made, and lawyers of ability can find technicalities which can be made to impress the minds of the Judges. The law is not clear enough, and a Judge, feeling diffident, often refers an interpretation to a quorum of the whole Bench. The Criminal Law especially ought to be well known and well defined, in which case we should not see, as we so often do now, great miscarriages of the law of justice. If our laws were made perfectly clear and distinct, they would be more useful in preventing crime, which, instead of furnishing it, is their prime object. At present old offenders often escape, whilst they should remain under the surveillance of the police. The hon. member for Cardwell (Mr. White) made what he considers, but what I do not, a joke on this subject. Take the case of an attempt to murder, the offender escaping, or even getting a few years' imprisonment; a second attempt is made by him, and let me suppose he is found under my bed at night. I ought to have a right to blow his brains out. Under the Bill of the hon. member for West Durham, a constable could, on his own deposition, have that offender arrested and punished at once. I do not see why that sort of trial would not, in this instance, be as good as a new trial before a jury. I regret that the Bill, with such an important provision, is not allowed to go to Committee, where it might receive valuable amendment, and this, notwithstanding some features that may appear arbitrary at first sight, particularly as we all agree that its principle of bringing old offenders to speedy justice, is sound and desirable. I hope the hon. the Minister of Justice will bring forward a similar measure next Session.

MR. CAMERON (South Huron): I do not care about prolonging this discussion, and would not have said anything at present on the Bill before the House but for some observations that fell from the hon. the Minister of Justice, and some remarks made by the hon. member for Cardwell (Mr. White), neither of whom know much about the Bill, to judge from their observations, and especially those of the hon. member for Cardwell. These hon.

gentlemen, judging by their line of criticism, both appear utterly ignorant of the provisions and principles of the measure. The hon. the Minister of Justice had the candour and honesty to admit his ignorance of the Bill. He stated that he had not time to consider its provisions, and that he was not able to say whether, in its present shape, it should become law. He approved of some of its provisions, as he understood them, and objected to others. The hon. member for Cardwell, however, wanted no time to consider the Bill. He had no doubt about its obnoxious provisions. His mind was made up. He, a layman, ignorant of legal principles and of the practice and procedure of Criminal Law, was deterred by his modesty from pronouncing against the Bill. He was not at all afraid to step in where the angel (the hon. the Minister of Justice) feared to tread. The hon. member for Cardwell's criticism of the Bill was not a fair or honest criticism. The provisions of the Bill were distorted, and the principle of the Bill misrepresented. In fact, his whole criticism of the Bill was a perfect caricature, and I am quite sure, from the extraordinary observations made, that he never read the Bill, or if he did read it, that he does not understand a single one of its provisions. The hon. member for Cardwell attempted to illustrate his objections by an incident that occurred in Montreal. He tells us that a gentleman of his acquaintance committed a violent assault on someone some time ago, and was fined for it. Well, I am not aware that gentlemen commit violent assaults; when they do so they cease to be gentlemen. But I do know that some whom the hon. member for Cardwell is pleased to call gentlemen, do commit assaults and indulge in other practices unbecoming a gentleman. According to the hon. gentleman his friend in Montreal, no doubt a model gentleman, did commit a breach of the Criminal Law by assaulting his neighbour. In the eyes of the hon. member for Cardwell, violently assaulting your neighbour is a very trifling affair, especially when done by a gentleman, and the criminal gentleman's sensibilities should not be touched in the slightest, although he does violate the Criminal Law of the land. According to the story, as told us by the hon. member for Cardwell, this gentleman of Montreal, who thought it in keeping with the

character of a gentleman to violate the law, was made amenable to the law. He was fined, and, according to the interpretation put upon this Bill by the hon. member for Cardwell, if the gentleman friend had committed a second assault he would have to submit to the degradation of being photographed, and his picture placed in the rogues' gallery. And pray, why not; if the hon. gentleman's friend has become a habitual criminal, and repeating the offense makes him in law an old offender, why should he not be treated as an old and confirmed offender? Although the hon. member for Cardwell may call him a gentleman, in the eye of the law he is only a criminal and should be treated as such. But the Bill contains no such provision; and I repeat, that the hon. member for Cardwell's interpretation of the measure shows that he does not understand what he is talking about. The Bill does not make it imperative that photographs should be taken of all criminals; it simply empowers the Government by Order in Council to make regulations from time to time with regard to the photographing of prisoners incarcerated in the penitentiary, reformatory prisons and common jails. The gentleman mentioned by the hon. member for Cardwell, according to his account of the transaction, was not committed to any of those institutions. Therefore, there is no danger under this Act, even if the hon. member for Cardwell's friend should repeat the offense, that he would be photographed at the public expense, and have his photograph placed in the rogues' gallery; although I think the rogues' gallery is the proper place for the photographs of the hon. gentleman's friend if he should persist in the repetition of a criminal offence. The hon. member for Cardwell's ignorance of the meaning of the Bill shows that he has not read it, and in fact knows no more about what he undertakes to criticise than does a certain long-eared animal know about navigation. The hon. member for Cardwell said that this part of the Bill, which he so strongly objected to, was the only principle of the Bill. And he then proceeds in the most extravagant and absurd manner to criticise and object to the details of the Bill, indicating gross ignorance of the clearest principle and simplest details of the Bill. It is not, as



he stated, a fact that on the mere conviction of a person for any offense would necessarily result in taking his photograph and placing it in the rogues' gallery. There must be an Order in Council directing that to be done, and the Act even then only applies to persons incarcerated in the penitentiary, reformatory, prison or common jail. The hon. gentleman also objected to section 3, and its sub-sections, and objects to what he calls its absolute and stringent provisions. They are not absolute, and they are not stringent. No man is liable to the provisions of this section who has not been convicted, and even under that section the prisoner must be charged by the constable, and the Judge of the Court must be satisfied that there is reasonable grounds for believing that the prisoner is getting his livelihood by dishonest means before the provisions of this Act apply. Are hon. gentlemen on the Ministerial side of the House so tender about the feelings of criminals of this class, so careful about their interests, as not to desire that their conduct and habits should be enquired into even after conviction. It must be borne in mind that the object of this section is to keep the criminal classes under the eye of the police, so as to deter them from the commission of other offenses. It must also be understood that a man cannot be convicted under this section, unless the Court before which he is brought is satisfied that he has evaded one of the provisions of sub-section 3. The hon. the Minister of Justice was candid enough to say that, from the cursory glance he gave the provisions of the Bill, he thought some of them might be incorporated with advantage into the Criminal Law of the land. If he thought so, it was his plain duty to recommend the reference of the Bill to a Select Committee, to consider those portions of the Bill that would recommend themselves to the sound judgment of professional men, in order to have them incorporated in the Criminal Law. What earthly objection can he have to the clause that provides for the registration of persons convicted of crime. Practically that clause provides for criminal statistics. The hon. gentleman suggested more; he certainly gave no reasons to the House against that provision? That is the proper way of tracing out, following up and keeping under the eye of the administra-

tion of the law, the class to which this provision of the Bill is intended to apply; and it is intended to apply to them, not in the interests of the criminal so much as in the interest of the community. No sound objection can be raised to this provision—none has been suggested. I am free to say, and I do say, that if a similar provision had been put into a Bill introduced by any hon. gentleman on the opposite side of the House, it never would have been dealt with by the Government in the curt and cavalier manner in which this Bill is sought to be dealt with. Such a provision would, in that case, have received the commendation of the Government, and passed into law. What valid objection can be raised to section 4 of the Bill, which provides that authorities of the penitentiary and reformatory prisons and of the common jails shall make returns of the criminals incarcerated under their charge? None that I know of, and none that I heard of. Surely that seems an eminently proper provision, and yet hon. gentlemen on the other side of the House ridicule the idea of such a provision. What objection can there be to the second section of this Act, which provides that criminals incarcerated in the penitentiary, reformatories and common jails, shall have their photographs taken, and that we shall thus have at all times an unfading, and, I may say, an unfading record of the criminal classes. Now, as the hon. the Minister of Justice has suggested, we know that the photographing business has been done, and done with advantage to the administration of justice, elsewhere. Rest assured that there is no more effectual mode of deterring criminals from the further commission of crime, and securing their detection when crime has been committed, than photographing this obnoxious and increasing class in the community. They may and they do disguise themselves in various ways. They may dye their hair or change their clothes to evade the laws they have violated, but cannot disguise so effectually the face that God has given them, when that face is transferred to canvass or paper by the skill of the photographer. The hon. the Minister of Justice may call in his large majority in this House, as he has done, to vote down the provisions of this Bill, but I am satisfied that, had the hon. gentleman studied the Bill carefully, had

he thoroughly understood its provisions the scope and object of the Act, he would have allowed it to go to a second reading, be referred to a Committee of the Whole, where a few of its harsher provisions might have been toned down. No innocent man, no gentleman—as the hon. member for Cardwell is disposed to call some of the criminal classes—those who only commit assaults—has anything to fear from the provisions of the Bill. The rowdies, the blackguards, and the criminals generally, who are swarming over the length and breadth of the land (as the Return, at the instance of the hon. member for West Durham abundantly shows), are the men, and the only men, who have reason to fear the enactment of the clauses of this Bill. The innocent have nothing, the criminals alone have something, to fear in case this Bill becomes law. Yet hon. gentlemen on the other side of the House are so delicate and tender about the interests and feelings of this class, as to be unwilling to create a machinery that will effectually aid in the detection of crime, and punish the criminal when detected. I am really surprised that a Bill of this character, having in view the aim and object that this Bill has, should be treated in the way hon. gentlemen are disposed to treat this measure. Other Bills, having in view the amendment of the Criminal Law, have not been so treated. The hon. the Minister of Justice, in dealing with the Bill of the hon. member for Hamilton (Mr. Robertson) the other night, criticised and objected to every provision of that Bill. There was not a single provision of the Bill that he did not pronounce unwise and injudicious; yet the hon. gentleman did not object to the second reading, and its reference to a Select Committee of the House, with a view of seeing if some of its provisions could not be licked into shape and made suitable to the circumstances of the country. Why should not the Bill of the hon. member for West Durham (Mr. Blake) be dealt with in the same way? There is greater reason why this Bill should be read a second time than there was for extending that courtesy to the Bill of the hon. member for Hamilton. This Bill can be amended in the Committee so as to be of essential service to the country. The other never could. I know of but one reason why, in the estimation of

hon. gentlemen opposite, this Bill should receive different treatment, and that is, the Bill I am now discussing was introduced by the hon. member for West Durham, the other by a supporter of gentlemen opposite. I regret that such a state of things should exist in this House, and that the provisions of the Bill have not been calmly considered. There is no man in the country, and certainly no man in this House, better able to deal with the questions embraced in this Bill than the hon. member for West Durham. He has given the subject a great deal of care and a great deal of thought; and yet the hon. gentlemen can reconcile it with their duty to the House and the country, without reflection, without condemnation, and, I may say, without examination, to refuse it a second reading. There are many eminently proper provisions in the Bill that should become law, and that will ultimately become law. I venture in this prediction that, although the hon. the Minister of Justice now calls on his majority in the House to reject this Bill, that in his calmer moments he will regret what he is now doing, and that before next Session he will realise the mistake he has made, and will then introduce this or a similar Bill, and that in his responsibility as a Minister of the Crown.

MR. BLAKE: I have just one word to say. I hope it will not be supposed that, because some arguments have not been answered, they were therefore unanswerable. It has been my misfortune, that many arguments, which I could have easily answered—had I been allowed the opportunity—have been left unanswered. I did not rise to reply till you, Sir, were about to put the question, after a long interval, during which no opponent of the Bill would speak. I stated in the opening that I rose only because the discussion seemed about to close; but after I had replied to such arguments as had up to that time been used, several hon. members thought fit, my mouth being closed, to make further attacks on the Bill. I shall not now, after the House has disposed of the Bill, trouble them with arguments. I do not wish to speak after the fair. I do not propose to waste the time of the House or my own breath, but I must frankly admit that besides the easily answered arguments which the hon. the Minister of

Justice and his friends have given us by word of mouth, he has about one hundred and fifty more that I am quite unable to answer.

Amendment (*Mr. Baker*) agreed to on a division.

MARRIAGE WITH A DECEASED WIFE'S SISTER LEGALISATION BILL.

[BILL 30.]

(*Mr. Girouard, Jacques Cartier.*)

SECOND READING.

House resumed the adjourned debate on the second reading of the Bill and the amendment (*Mr. Thompson, Haldimand*): "That the said Bill be not now read the second time, but that it be read the second time this day six weeks."

MR. HOUDE: Mr. Speaker, if this Parliament was the only legislative body in the country, the only one competent to discuss questions respecting marriage, my position in regard to the proposed law of the hon. member for Jacques Cartier would be slightly different from that which I think myself bound to take on the present occasion. It is not that I am opposed to this measure; on the contrary, I approve of its principle, and will vote for its second reading. My objections have only reference to the details. I recognise the motive which has induced my hon. friend to include in his Bill provisions whose expediency I intend to discuss; he has by their means no doubt desired to allay the fears of the members of certain Churches; but I am of opinion that there is a way of calming these apprehensions without its being necessary to include similar enactments in a law of this nature emanating from the Federal Parliament. This is the proposition which I shall at once endeavour to prove in as brief a manner as possible. In the case I have supposed, when commencing, I would not at all desire to concur in the adoption of a measure proposing to legalise marriage between the brother-in-law and the sister-in-law, or no matter what marriage, without providing at the same time the necessary conditions in order to give recognition to its character as a religious contract, a character essential to its remaining in conformity with the spirit of christianity and to ensure the happiness of families as well as the stability of society. But, since the perfection of Confederation, our new Constitution has placed us in a

unique position in this matter, by enacting that the law of marriage shall be under the jurisdiction of the Dominion Parliament while its celebration shall be under the jurisdiction of the Provincial Legislatures. At first sight the distinction would appear somewhat finely drawn, and the division line between these two authorities difficult to follow. Without doubt the letter of the Constitution on this point, as on others, is vague. To comprehend perfectly its spirit, it is necessary to discover what idea was uppermost in the minds of its authors when they established this division of jurisdiction between the Federal Parliament on the one side and the Provincial Legislatures on the other. This is what, on my part, I have humbly endeavoured to find out before forming a settled opinion upon certain details in the law as proposed by my hon. friend. It is a known fact that our present Constitution had its origin in the Quebec Conference, made up of representatives from the greater number of the Provinces which to-day form part of the Confederation. Now, let us see with what intent "marriage" was included among the number of subjects upon which the Federal Parliament might legislate:—

"The word 'marriage' has been placed in the draft of the proposed Constitution to confer upon the Federal Legislature the right of declaring what marriage shall be considered as valid throughout the whole extent of the Confederation, without affecting, however, in the least degree the dogmas or ceremonials of the religious bodies to which the contracting parties belong."

What guarantee would there have been that the Federal Parliament would never touch upon these religious dogmas and rites, if it had not been understood that they would never be called upon to decide upon them. Unless they had recognised and confirmed the principle that to the Provincial Legislatures must be left the exercise of the constitutional right to take cognisance of the dogmas and rites in conformity with which marriage ought to be contracted, the guarantee would be of none effect. While citing these opinions of the Quebec Conference, I may state that, during the debates of Parliament upon the scheme of Confederation, the hon. the Solicitor-General for the Lower Canadian section, whose opinion, I presume, ought still to agree, to some extent,

MR. BLAKE.

with that of the present hon. Minister of Public Works, inasmuch as it was he himself who then gave utterance to them, commented upon them in the name of the Government of the day, after it had been formally communicated to the House :

“The hon. gentleman has asked the Government what meaning was to be attached to the word ‘marriage,’ where it occurred in the Constitution. He desired to know whether the Government proposed to leave to the Central Government the right of deciding at what age for example, marriage might be contracted. I will now answer the hon. gentleman as categorically as possible, for I am anxious to be understood, not only in this House, but also by all those who may hereafter read the report of our proceedings. And, first of all, I will prove that civil rights form part of those which, by article 43 (paragraph 15) of the resolutions, are guaranteed to Lower Canada. This paragraph reads as follows :—

“15. Property and civil rights, excepting those portions thereof assigned to the General Parliament.”

“Well, among those rights are all the civil laws of Lower Canada, and included in these latter are those which relate to marriages. Now it was of the highest importance that it should be so under the proposed system, and therefore, the hon. members from Lower Canada at the Conference took great care to obtain the reservation to the Local Government of this important right ; and in consenting to allow the word ‘marriage’ after the word ‘divorce,’ the delegates have not proposed to take away with one hand from the Local Legislature what they had reserved to it by the other. So that the word ‘marriage,’ placed where it is among the powers of the Central Parliament, has not the extended signification which was sought to be given to it by the hon. member. \* \* \* \* The whole may be summed up as follows :—The Central Parliament may decide that any marriage contracted in Upper Canada, or in any other of the Confederated Provinces, in accordance with the laws of the country in which it was contracted, although that law might be different from ours, should be deemed valid in Lower Canada in case the parties should come to reside there, and vice versa.”

At another sitting the same hon. Minister added further :

“This (the words last above cited) was merely a development of what I said. I stated before that the interpretation I had given of the word ‘marriage’ was that of the Government and of the Conference of Quebec, and that we wished the Constitution to be drafted in that sense. \* \* \* \* I maintain then that it was absolutely necessary to insert the word ‘marriage’ as it has been inserted, in the resolutions, and that it has no other meaning than the meaning I attributed to it in the name of the Government and of the Conference. Thus the hon. member for Verchères

(Mr. Geoffrion) had no grounds for asserting that the Federal Legislature might change that part of the Civil Code which determines the age at which marriage can be contracted without the consent of parents.”

At another sitting again, and in reply to a request for explanations put to the Government, the hon. Minister said :

“I made the other day, Mr. Speaker, the declaration just mentioned by the hon. member for Montmorency (Hon. Mr. Cauchon), which relates to the question of marriage. The interpretation given by me on that occasion is precisely that given to it at the Quebec Conference. As a matter of course the resolutions submitted to this hon. House embody only the principles on which the Bill or measure of Confederation is to be based ; but I can assure the hon. member that the explanations I gave the other evening, as to the question of marriage, are perfectly exact, and that the section of the Imperial Act in relation thereto will be worded in accordance with the explanation I gave.”

It was on the faith of those assurances, Mr. Speaker, that the country, through the medium of the press and of Parliament, accepted the new Constitution. That Constitution is a synallagmatic compact between the Confederated Provinces, and we are bound to adhere scrupulously to its spirit in all the laws we make. Here then we have the authority of the Interprovincial Conference, in which the present Constitution originated, the authority of the Government that proposed it, and the authority of the Parliament that ratified it by a very large majority, declaring that the spirit of that Constitution requires that the Dominion Parliament shall only take cognisance of questions relating to the nature of marriage, and that it shall leave to the Provincial Legislatures the duty of dealing with the conditions under which marriage is to be contracted. I know that, according to the view taken by my co-religionists, the majority of the representatives of the Province of Quebec, which is also my own view, dispensations by reason of relationship or affinity flow from the very nature of marriage. But we must remember, on the other hand, that the privilege of the Church as to exercising the right of granting dispensation in certain cases is secured by Article 127 of the Civil Code, which is as follows :

“The other impediments recognised according to the different religious persuasions, as resulting from the relationship or affinity, or from other causes, remain subject to the rules hitherto followed in the different Churches and

religious communities. The right, likewise, of granting dispensations from such impediments appertains, as heretofore, to those who have hitherto enjoyed it."

In the other Provinces, Mr. Speaker, that precaution does not exist, for it is only in the Province of Quebec that the Canon Law forms part of the Civil Law. My hon. friend from Jacques Cartier says: "In the Province of Manitoba also." I rejoice at it. But this is a state of things which we cannot remedy without affecting the autonomy of the Provinces, an alternative which would help us but little towards the end in view in this matter; for, so soon as public opinion in the other Provinces becomes favourable to our views, the chances of success would be as great with the Legislatures of the Provinces as with their representatives, and meantime we should avoid exposing our public law to the danger of being changed for the worse by a majority of legislators, still, for the most part, opposed to our principles in this matter. For those who, like myself, consider marriage to be a religious contract, there is, it seems to me, a tolerably sure means of knowing whether any proposed Act of legislation respects or violates the doctrine of the Church; it is to ask ourselves: will this measure have the effect of legalising marriages which are not permitted by the Canon Law, or of declaring invalid, marriages which that law permits? Applying that rule to the present case, it is clear, in the first place, that the proposed measure does not prohibit any marriage, and therefore does not come within the category of measures, and moreover, that it merely recognises as valid, marriages which are so in any case, naturally and morally speaking, without that legal sanction. Yes, valid, but on one condition, some hon. members of my own religious belief will perhaps say; on condition that the impediments maintained by the Church in order to prevent the too great frequency of such marriages, against which well-grounded objections certainly exist, shall first have been removed. Quite right. But if this Parliament, considering the restricted sphere of its jurisdiction in this matter, simply removes the legal prohibition wrongfully resting against such marriages, without entering into details as to the conditions under which they are to be contracted, leaving the care of such

details to the Local Legislatures, it is evident that the religious rules which already apply, in accordance with the Civil Law, to other marriages not legally prohibited, must also apply to these particular marriages so soon as they cease to be legally prohibited. There cannot be any doubt as to this, for it is a strictly logical consequence flowing from undeniable premises. The authors of the Constitution, Mr. Speaker, have placed civil liberty and liberty of conscience under the special protection of the Provincial Legislatures, and I am of opinion that they acted wisely in so doing, so that I am opposed to anything that may tend, directly or indirectly, to diminish the efficacy of that protection, or cause it to change hands. Consequently, I should prefer to strike out the stipulation contained in the first proviso to the 1st section of the Bill, and, in my humble opinion, that clause should read as follows: "Marriage between a man and the sister of his deceased wife, or the widow of his deceased brother, shall be legal and valid." As to the other provision, declaring that those who are authorised to celebrate such marriages shall not be bound to celebrate marriages of the kind, if objections exist under their religious belief, I think it is useless here. Have we the power to compel anyone to celebrate any marriage whatever? It cannot be asserted that we have. It is, therefore, superfluous on our part to grant exemption from an obligation which it is out of our power to impose. Some hon. members have expressed the opinion that the second section should be wholly struck out. I think, on the contrary, that it is better to retain it, with some alteration. If it be desirable to legitimatise in the eyes of the law children the issue of marriages contracted hereafter, between brother-in-law and sister-in-law, is it not wise to legitimatise in the same way children already born of such marriages, provided such marriages have been contracted under the conditions requisite to validity? But I know we must be careful to legislate in such a manner as not to appear to desire to give a retroactive effect to this law, in matters involving rights of inheritance, which belong to the domain of civil rights reserved to the jurisdiction of the Provincial Legislatures. I would suggest that the section be amended to read as follows: "All exist-

ing marriages of such nature, celebrated with the required conditions, shall be legal, without prejudice to rights acquired prior to the sanction of this Act." As I stated at the outset, Mr. Speaker, I approve of the greater part of this measure, and I shall vote for its second reading; but, before its final passing, I hope it may be modified in detail in such a way as to remove the objections I have pointed out.

Mr. GIROUARD (Jacques Cartier): I have listened with a great deal of attention to the discussion on this Bill, which took place the other evening and this evening, and I do not doubt much good will result therefrom. I may state at once that I am not pledged to the wording of the Bill as it stands to-day. I am open to any reasonable suggestion for its modification, and, when the Bill reaches Committee, I hope it will be so drafted as to meet the views of those hon. gentlemen who have not been able to agree with some of its details. I take it for granted, at least from the arguments used by the majority of the speakers, that the principle of the Bill will receive the approbation of this House. The objections seem to bear only upon that provision which renders a dispensation necessary from certain Churches to make such marriages valid, and also upon that proviso by which no officiating clergyman shall be bound to celebrate such marriages. I have understood that some objection too was made to that portion of the Bill which renders it retroactive in its operation, or at least to a certain portion of it. I will endeavour to show that these objections are not altogether well-founded. First, as to the constitutionality of the "dispensation" clause, there is no doubt that, under the Constitution of 1867, this Parliament has alone the power to declare who can contract marriage. Generally speaking, we ought to follow the intention of the framers of the law, but that is not sufficient when the letter is evidently inconsistent with the expressed intention. There is no doubt, in my humble opinion, that everything appertaining to marriage and divorce belongs to this Parliament exclusively; we may permit marriage between, not only brother-in-law and sister-in-law, but minors, and we may not only deal with these matters, but also recognise Church

dispensation from impediments imposed by the different Churches in these respects. The "dispensation" proviso was introduced to meet a serious objection of the members of the Church of England. Hon. members will recollect that, by the first Bill I had the honour of introducing, the validity of the marriage was to depend on the rules and regulations of the church celebrating the marriage. It was represented, and rightly so, that that law, while giving relief to the Catholic Church and Dissenters, would not relieve members of the Church of England. As the hon. member for Gloucester (Mr. Anglin) said the other evening, the Catholic Church, although not favourable to these marriages, for grave reasons grants dispensation from the impediment of affinity; but in the Church of England there is no such a power. Therefore, under the Bill as first introduced, the members of that Church would have been in a worse position than under the existing laws, as far as some Provinces are concerned where, by the law of the land such marriages are only voidable. The clause was therefore changed so as to limit the condition to the Catholic Church. We all know that that condition or reservation concerns no one else but the Catholic Church. The proviso declares that, if in any Church a dispensation be required, that dispensation shall be first obtained. The clause providing that no minister should be obliged to celebrate such marriages was put in to meet another objection of some clergymen of the Church of England. It is no novel provision; it is no new legislation; the Legislature of Australia has passed a similar law. I come next to the question of jurisdiction. I cannot understand how it is that this House has every other jurisdiction except the power to recognise Church dispensations in regard to marriage, or relieving from the incapacity to contract marriages. As the hon. member for Gloucester rightly remarked, this dispensation has no reference to the celebration of marriage; it is a dispensation from incapacity by reason of affinity. It has no other reference than to the capacity of parties to contract marriage; and for that reason this clause is within the legislative jurisdiction of this Parliament, and not within the jurisdiction of the Local Legislature. The hon. member

for West Durham (Mr. Blake) explained, the other evening, at great length, the law of the Province of Quebec, as far as the solemnisation of marriage is concerned. He referred to the opinions of the Crown law officers as to the power of the Local Legislature to empower the granting of licenses to celebrate marriage; but that was not a dispensation, at least in the sense referred to when the impediment from affinity has to be removed. These licenses had reference only to certain formalities preceeding the celebration of marriage, such as banns, etc.; they do not bear upon any of the essentials to the contract of marriage or the capacity of the parties. Another objection to this clause respecting dispensation was put forward on the ground of its uncertainty. I have read it over and over again, and I cannot understand how that objection can be made. It states that, if any dispensation is required to give validity to the marriage, such dispensation shall be obtained. If there is anything equivocal in that, I cannot see it. It is plain that it only affects the Catholic Church. It has been said also, by the hon. member for West Durham, that the Bill as it is will render the position of the parties very difficult with regard to mixed marriages. It will be the same as to-day; if the marriage is celebrated in the Catholic Church the dispensation must be obtained; but if it is celebrated before a Protestant minister then a dispensation will not be required. That is the rule to-day, and still will be the rule under this Bill. The hon. member for West Durham was astonished that the marriage in Quebec should be solemnised before the curé of the Catholic parties. There is no doubt of the law, but a different rule prevails with regard to Protestants; they may be married before any Protestant minister, provided there is no Church regulation to the contrary. As to the reservation of the right of requiring previous dispensation in favour of the Catholic Church, it seems to me that the whole question turns upon a question of policy, as to whether it would be politic for this House to make such a reservation. I may say that I inserted that clause with a view to meet the views of the Catholic members, who I thought would have some hesitation in voting for the Bill without that clause. I really cannot see why

members of the Protestant faith should object to the clause. We claim it with the same spirit of liberty with which we were actuated when we put in the proviso that no minister of the Church of England shall be forced to celebrate such marriages. The clause, moreover, is a necessary consequence of the general law of the Dominion, which requires that marriage shall be celebrated by a priest or minister, and not by civil officers.

MR. HOUDE: But no priest or minister can be compelled to celebrate any marriage that is not legal. I know of no means of doing so.

MR. GIROUARD: I am of opinion that, outside of the Province of Quebec, where an exception is made by the Civil Code, that, if a priest or minister should refuse to celebrate a marriage, there are means of compelling him. A *mandamus*, and I presume in some Provinces an injunction, will meet such a case. If no reservation be made, a priest or minister could be forced to celebrate this kind of marriage against his conscience. If no regard is to be had to Church regulations, we shall introduce into our marriage laws a character purely civil which we have no power to give them under our Constitution, the celebration of marriage being left entirely to the Provincial Legislature, and from the character of the officiating minister will always depend the character of the marriage. Finally, the "dispensation" proviso will not be a novelty on our Statute-book. Several Statutes in force in this country have recognised the regulations of the various Churches existing within its territory. The Quebec Act of 1774, which may be considered as our *Magna Charta*, declares that:

"For the more perfect security and ease of the minds of the inhabitants of the said Province of Quebec, His Majesty's subjects, professing the religion of the Church of Rome of and in the said Province of Quebec, may have, hold and enjoy the free exercise of the Church of Rome, subject to the King's supremacy," etc.

The clause objected to is nothing more than the application of this Imperial law; it is then the recognition in favour of Catholics only of an article of faith of the said Church, to wit: that no marriage between brothers and sisters-in-law can be valid except by dispensation from the constituted authorities. Numerous Statutes will be found in the Statutes of

Lower Canada where various privileges and immunities of the Catholic Church were sanctioned by Parliament but, to be brief, we will confine ourselves to Article 127 of the Civil Code, which was voted by the Parliament of the late Province of Canada immediately before Confederation. That article says:

"The other impediments recognised according to the different religious persuasions, or resulting from relationship of affinity or from other causes, remain subject to the rules hitherto followed in the different Churches and religious communities. The right, likewise, of granting dispensations from such impediments appertains in heretofore, to those who have hitherto enjoyed it."

This law was passed by the Parliament of the late Province of Canada, a few months before Confederation, and I do not see why this Parliament should be less liberal than the late Parliament of Canada. I could quote several Statutes of the Province of Quebec where the different rules and regulations of various Churches have been recognised. But, to be brief, I come to the Province of Ontario where I find the same policy pursued. In 1793, a Statute was passed legalising all past marriages of persons "not being under any canonical disqualification to contract matrimony." A more express recognition of Church regulations cannot be found. The same provision is contained in another Statute of Upper Canada, passed in 1830, 11 Geo. IV, cap. 36. Among the regulations laid down for the future celebration of marriages, the same Statute provides that the said marriage shall be solemnised "according to the form prescribed by the Church of England." The Catholics never complained of this legislation; it is only in accordance with the principle they invoke. In another Statute, concerning marriages of members of the Church of Scotland, Lutherans or Calvinists, it is stated that said marriages shall be "according to the rites of such Church or religious community." The Marriage Act of Upper Canada, passed in 1857, 20 Vic., cap. 66, declares that marriage shall be solemnised "according to the rites and usages of such Churches or denominations respectively." The same Statute declares valid all past marriages of Quakers solemnised "according to the rites and usages" of their society. With those numerous precedents before us, it seems to me that the

proviso as to dispensation should no longer be open to objection. It simply declares that, as far as Catholics are concerned, marriage between brothers and sisters-in-law shall be celebrated according to the rules and usages of their Church; and, as these marriages may be objectionable to some ministers of the Church of England, it declares what will be found in some other Colonial Statutes, and among others Australia, namely, that it shall not be compulsory for any officiating minister to celebrate such marriages. This proviso, also referring only to the impediment of affinity, or the capacity of contracting, is, I believe, constitutional. But, however, if desired, it could be removed. Now, one word as to the retrospective clause of the Bill. We find in England the first instance of such retroactive legislation in Lord Lyndhurst's Act of 1835, and every Bill introduced since that time into the Commons or the Lords contains the same clause. The Statutes passed by most of the British Colonies on the subject matter of this Bill have also a retroactive effect. I will also refer to the following Statutes, of both Upper and Lower Canada, which were found necessary to legalise irregular, voidable, and in fact void marriages:—Statutes of Lower Canada—44 Geo. III cap. 2, 1 Geo. IV cap. 19, 5 Geo. IV. cap. 21, 7 Geo. IV cap. 2, 2 Wm. IV cap. 51; Statutes of Upper Canada—33 Geo. III cap. 5, 11 Geo. IV cap. 36; Statutes of Canada—18 Vic. cap. 245, 20 Vic. cap. 66. I have heard it mentioned that this Bill does not interest Ontario much. I believe that it not only effects Quebec, Manitoba, and British Columbia, but Nova Scotia, New Brunswick, Prince Edward Island, and even Upper Canada. We find that the ecclesiastical jurisdiction of England, which seems to be wanted in Ontario, exists in all those Provinces. In the Province of New Brunswick, a Court of Divorce and Matrimonial Causes has been constituted; in Nova Scotia the same jurisdiction has been vested in her Equity Courts. There is also a Statute in Prince Edward Island which gives similar powers to the Governor and the members of the Privy Council. We may also easily suppose the case of two Upper Canadians moving to Great Britain or any of these Provinces, where they may acquire a new domicile and become amenable to the jurisdiction of



their Courts, and therefore see their marriage attacked and set aside. It was intimated that it was my intention to refer this Bill to a Special Committee. I may state that I have changed my mind. I believe now that a measure of this public importance should be considered in a Committee of the Whole. As I have said, I am not pledged to any special wording of the Bill. The essential point is to legalise marriages with a deceased wife's sister or the widow of a deceased brother. It would be open to every member to introduce improvements or strike out provisions, and I would certainly submit to the decision of the Committee. In the meantime, I hope this House will authorise the second reading of the Bill, and reject the six months' "hoist."

MR. HOUDE: I believe my hon. friend did not understand me when I said we could not oblige ministers of any Church to celebrate a marriage. I meant that we could not do so as members of the Federal Parliament. My hon. friend admits that solemnisation of marriage is entirely within the jurisdiction of the Local Legislatures, and at the same time he contends that we can oblige ministers of Churches to celebrate marriage; that is to say, that the very solemnisation of marriage ought to be interfered with by the Federal Parliament. The two propositions seem to be contradictory.

MR. JONES: I do not rise for the purpose of prolonging this debate, but merely to say a few words on the vote I intend to cast. I may state that I intend to support the amendment for the six months' "hoist." At whose request is this Bill brought before the House? Has any petition been presented? I would ask, moreover, if any opportunity has been given to the country to protest against this measure? I can tell the hon. gentleman that, if an opportunity were given, the Church of England, to which I belong, will protest against this Bill, which has been brought forward so hurriedly. In my opinion it should be allowed to stand over. Some hon. gentlemen have stated that the Hebrew translation of the 18th chapter of Leviticus is an error. I should be sorry to make such an assertion on the floor of the House, and I should be sorry to think that the translation of the Scriptures

was an error, because, if it were so, it knocks down a portion of the structure, and the whole question of affinity is destroyed. No later than 1877, at the Provincial Synod of the Church of England held in Montreal, the following resolution, brought down by the House of Bishops, was passed:—

"No clergyman of this Ecclesiastical Province shall, knowingly, solemnise a marriage forbidden by the 99th Canon of the year A.D. 1603, which is as follows:—No person shall marry within the degrees prohibited by the Laws of God, and expressed in a table set forth by authority, in the year of our Lord God 1563."

Now, that is the rule regulating the Church of England, and I do not agree with the hon. member for Jacques Cartier, that the jurisdiction for the regulation of marriage in every way resides with this House. I believe it should rest as it has for ages with the Churches to which we belong. I am sure that, if proper time be given for petitions against the Bill, they will come in large numbers from members of the English, the Roman Catholic, Presbyterian and other Churches. The Bill is brought forward in the interest of individuals, the endeavour being made to push it hurriedly through the House; but I shall oppose it with all my powers, and support the six months' "hoist."

MR. WRIGHT: I confess I see few difficulties in the case presented so ably by the member for Jacques Cartier (Mr. Girouard). He has, I must admit, manifested profound research and a wonderful knowledge of all matters connected with the subject of marriage with a deceased wife's sister, almost from the beginning of the practice till the present. We can imagine this eloquent, graceful advocate seated in the solitude of his studies, probably digesting grave problems of social and moral science, waited upon by this charming lady—for we will assume she is charming, which would give the motive usually looked for in such cases—because, as we see no petition, one cannot otherwise understand why the hon. gentleman brings his forces to bear on this problem. It is the old story, the old irrepressible conflict between the law and the lady, and in the present as in past cases of this kind he will find the lady will be victorious. We can understand all the influence upon the hon. gentleman of this good-looking,

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graceful lady, coming into his office arrayed in all the habiliments of love, wearing looks of the deepest despair and darkest desolation; she has loved, not wisely, but too well; she has placed herself in a sad position, and now appeals to this good counsel for that relief which the Draconian Code does not afford. I cannot, any more than the hon. member for South Leeds (Mr. Jones), see why this question has been brought up here. We all know that the family is the archetype of society, and as it is secure, society will be secure, and we must be careful how we meddle with the family relations. But, from the research manifested by the member for Jacques Cartier, we must assume that some things are at fault, and that we in the 19th century must bear with a little more ease and humility on the errors of humanity than was done at the time of the framing of the Code of Leviticus. I have been seriously troubled by the theological question. The hon. member for Haldimand (Mr. Thompson) produced authorities to which we all bow, but upon which the hon. member for Gloucester (Mr. Anglin) does not look with such great respect; then came the legal address of the hon. member for Jacques Cartier, who presented other claims to attention by a manner of singular ability, and the hon. member for West Durham (Mr. Blake) and the hon. member for Argenteuil (Mr. Abbott), in able speeches, also appeared to differ with him in regard to matters of detail. Considering all the arguments of the case, with a sense of all the difficulties of the situation, I do not feel disposed, as a member of the Church of England, to share in the prejudices of the hon. member for South Leeds. I will confess that I have been convinced by the power and learning of the hon. member for Jacques Cartier, and, consequently, that I will give his Bill my support.

Mr. GAULT: I sent a copy of the Bill of my hon. friend the member for Jacques Cartier (Mr. Girouard), immediately after it was printed, to the Lord Bishop and clergymen of the Church of England, also to the Roman Catholic Bishop and several of the clergy, also to clergymen of the Presbyterian, Methodist, Congregationalist and Baptist Churches in Montreal to ascertain their opinion of the measure, and have had only

two replies—one from a clergyman of high standing, who quite approves of the Bill and says it is not contrary to the Word of God, and the other from the Rev. Dr. Corder, of the Unitarian Church, who says he believes the Bill will conduce to the interests of good morals and sound public policy. With these views in possession and none disapproving, it is my intention to vote in favour of the Bill. A great many of my friends in Montreal, who have married their deceased wives' sisters, are gentlemen of the very highest respectability and standing, and I do not see why they should be held as law-breakers for that cause.

Mr. McCUAIG: I do not rise for the purpose of adding any remarks to those already expressed by hon. gentlemen, members of the learned profession, and of this House, both for and against this measure, having reference to the effect the passage of this measure may have on society in Canada. My desire is to call the attention of the House to the opinions entertained in England, for which Canadians have great respect, by eminent men, as reported in the *English Hansard*, 1877. In doing so, it is my duty to place before this House the views of the representative men of the various bodies, as well as the equally distinguished public men of the Empire, from both points of view. In favour of the Bill, 1877, then before the British Parliament, permitting a widower to marry the sister of his deceased wife, I will read the views of the Roman Catholic Archbishops and Bishops residing in England, as addressed by those Prelates to the members of a Royal Commission appointed to enquire into the state of the English law, as well as the replies of Cardinal Wiseman to certain questions he was called upon to answer. In the letter addressed to the Royal Commission on the law of marriage, by the Roman Catholic Archbishops and Bishops of England, is the following passage:—

“With respect to the much debated question of marrying a deceased wife's sister, with us the impediment is diriment of marriage; but urgent cases will arise when ecclesiastical authority finds it reasonable to remove the impediment by dispensation. And among the motives for such dispensations are the preventing of great evils, the protection or reparation of character, the difficulty of forming another marriage, the consideration of children born, or that may be born, etc., and, although cases of this kind are comparatively rare, we could

wish to see the civil obstacles removed which stand in the way of remedying what may prove to be grave matters of conscience.

(Signed)

† HENRY EDWARD MANNING,  
 † THOMAS JOSEPH BROWN,  
 † WILLIAM BERNARD ULLATHORNE,  
 † THOMAS GRANT,  
 † WILLIAM TURNER,  
 † JAMES BROWN,  
 † ALEXANDER GOSS,  
 † WILLIAM VAUGHAN,  
 † WILLIAM CLIFFORD,  
 † FRANCIS KERILL AMHERST,  
 † RICARDUS ROSKELL,  
 † ROBERT CORNTHWAITE."

The following questions were put to Cardinal Wiseman:—

"Do you construe that passage in Leviticus XVIII, 18, as prohibiting marriage with a deceased wife's sister, or merely as saying that a man should not take two wives together, at the same time being so related?"

"Reply—Certainly, that verse appears to have the latter meaning, that two sisters shall not be living together in the same house, as wives of the same person.

"Question—Is such a marriage held by your Church as prohibited in Scripture.

"Reply—Certainly not. It is considered a matter of ecclesiastical legislation."

This influential advice in favour of the Bill will no doubt have a powerful influence on the minds of our Roman Catholic fellow-countrymen in Canada. Though from a Canadian or Colonial standpoint in favour of a similar Bill passing the Dominion Parliament, with the law of England in its present shape, which declares in effect the children of such marriages are bastards in England on questions of inheritance of real property and the unhappy consequences contingent upon such a state of things to children yet unborn, I say it is just possible a different opinion might have been arrived at. I will now read Lord Brougham (see *Hansard*, English, 1877, pp. 1175 and 1176) in support of opinions entertained in England of the law of the Empire, as it is at the present day, when applied to the inheritance of children of marriage by a widower with his deceased wife's sister in any of the Colonial possessions of Great Britain; and in Canada, notwithstanding, by the North America Act, this Dominion is authorised through her Dominion Parliament to deal with the law of marriage and divorce. Lord Brougham said:

"One should say that nothing can be more pregnant with inconvenience, nay, that nothing can lead to consequences more strange in state-

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ment than a doctrine which sets out with assuming legitimacy to be not a personal status, but a relation to the several countries in which rights are claimed, and indeed to the nature of different rights. That a man may be bastard in one country and legitimate in another seems of itself a strong position to affirm, but more staggering when it is followed up by this other—that in one and the same country, he is to be regarded as bastard when he comes into Court to claim an estate in land, and legitimate when he resorts to another to obtain personal succession; nay, that the same Court of Equity (when the real estate happens to be impressed with a trust) must view him as both bastard and legitimate in respect to a succession to the same estate."

I now, Mr. Speaker, propose to read opinions of several eminent authorities of the Protestant Church, on the measure having for its object legalising the marriage of a man with the sister of his deceased wife. Dr. Benjamin Franklin says:

"I have never heard upon what principle of policy the law was made, prohibiting the marriage of a man with his wife's sister, nor have I ever been able to conjecture any political inconvenience that might have been found in such marriages, or to conceive of any moral turpitude in them."

To arrive intelligently at the opinion of the Rev. John Wesley, I will read an extract of the tract written on this subject by John Fry, a gentleman of distinguished learning:

"Suppose a man had married a virtuous woman, every way fit for him, with whom he lived happily until it pleased God to take her off by death, leaving him a widower with young children, and his circumstances such as made it fit for him to marry again, and his deceased wife had a maiden sister much like herself, and, therefore, on all accounts fit for him, who, on account of his kind and obliging behaviour to her sister, had conceived so good an opinion of him, and such fondness for his children, as engaged her consent to supply her sister's place. Can any reasonable person say it would not be fit for him to marry her."

The House will observe the Rev. John Wesley approves of the views of Mr. Fry, by the extract which I will now read from a letter addressed to his friend by Mr. Wesley:

"This is the best tract I have ever read on this subject. I suppose it is the best that is extant."

The opinions of the Baptist ministers in London are thus given:—

"In the judgment of the Board, the marriage of a widower with the sister of his deceased wife is scripturally lawful, and ought not to be prohibited by human legislation." Resolution

of the Board of Baptist Ministers in London and Westminster.

Lord Macaulay writes to the Secretary of the Board of Baptist Ministers :

"I am truly glad to find that my opinion on the subject of the Marriage Bill agrees with that of the most respectable body in whose name you write."

Rev. Dr. Chalmers says :

"In verse 18 of Leviticus xviii, the prohibition is only against marrying the wife's sister during the lifetime of the first wife, which of itself implies liberty to marry the sister after her death."

Dr. Adler, the Chief Rabbi of the Jews in the British Dominions, gave the following evidence :—

"It is not only not considered as prohibited, but it is distinctly understood to be permitted; that on this point neither the Divine law, nor the Rabbis, nor historical Judaism, leaves room for the least doubt. I can only reiterate my former assertions, that all sophistry must split on the clear and unequivocal words, Leviticus xviii, 18, in her lifetime."

The following is from the speech of Lord Francis Egerton, in the House of Commons:—

"In 1835, a most important Statute had been passed by that House under somewhat peculiar circumstances, and he might also say of haste and want of due deliberation, materially affecting a portion of the marriage laws of this country (England). In this case the voice of Heaven was silent, and that of man had been given with hesitation and confusion of utterance that deprived it of its due authority."

Lord Broughton said :

"That our Established Church should select one point of the Canon Law, and establish an arbitrary limit without giving any power of dispensation was, he was sorry to say, a very great tyranny, and one he felt convinced that the true principles of the Church of England did not sanction."

Mr. George Anderson, M. P. for Glasgow, in his speech on the Marriage Bill, 20th July, 1869, said :

"He denied that there existed in Scotland the strong and general aversion for those marriages which was alleged to exist."

I have now given the House the opinions of several eminent men, all inclining to the belief that the law of England should be changed, to legalise marriages with the sister of a deceased wife, and which may no doubt influence public opinion in this Dominion. With a view of cautioning hon. members of this House, I may be permitted to draw their attention to the

various views and arguments advanced by those whose opinion I have just read in favour of the change of the law, and to my mind the argument of expediency preponderates. I may, in support of this statement, read the arguments of Lord Chief Justice Denman and Sir George C. Lewis. Lord Chief Justice Denman says :

"If the Act of 1835 has notoriously failed in its operation, if these marriages, though discontinued by the Legislature, have become more numerous, not only among the lower classes, a large proportion of whom must ever remain ignorant of the existence of this and similar interferences by law with freedom, but among the cultivated, the thoughtful, the conscientious, the exemplary; if the stigma set by the law is not stamped by the public opinion, if the offenders are as well received as before, and are respected for acting on a just view of scriptural text, perverted by erroneous interpretations; in such case it will surely be more politic to make the law consistent with reason, than in a fruitless endeavour to bend reason to arbitrary law, to vex and persecute where we cannot prevent, to curse whom the Lord hath not cursed, and defy whom he hath not defied."

Sir George Cornwall Lewis, M. P., said :

"Upon the whole, looking at the law, the practice of foreign countries, and the unwillingness which prevails in this country to submit to the present law, he should give his cordial assent to the second reading of the Bill."

The eloquent words of Mr. Beresford Hope, the Attorney-General of England, and Mr. O. Morgan, delivered in the Commons of England against the passage of a Bill introduced by Mr. Knatchbull-Hugessen, in 1877, but not carried, to relieve the disabilities of inheritance in England of the children of a man with the sister of his deceased wife, and which I now propose to read to this House, I accept as a true index of the public opinion of old England, and a safe guide for me in recording my vote against the measure, now before this House, introduced by the hon. member for Jacques Cartier. Mr. Hope said :

"As to the first, it is conceded that, whatever may be the state of the law for the purposes of those Colonies, gentlemen who have allied themselves with their wives' sisters in the Colonies, will enjoy the protection of such laws as those Colonies may have passed; that, in point of fact, clearing the question of all verbiage and ambiguity, the only grievance, if grievance there is at all, is that the offspring of those alliances will not inherit property under intestacy or settlement, nor succeed to titles in England. That is the grievance on the side of

the Colony. The grievance on our (England's) side is much broader; a more real one; shall or shall not all or any of the Colonies have the right to force the hand of the Mother Country? Shall we or shall we not put the marriage laws with all those great and delicate questions which run into moral, into social, and into legal considerations; shall we put all those questions into the power of all or any of the Colonies which happen to enjoy a responsible Government to regulate for us? Is the law to be made for England by Canada or by England for England, and by Canada for Canada? Let me just take the case of a couple that have committed an alliance of this sort. The couple have taken a trip to Australia, and the return trip may stand for the honeymoon. They go into society, and say they are as good as anyone else, and perhaps rather better. They have been married according to law in the Colony and under the protection of my hon. friend's Bill. Well, they attempt to go into society, and what is their position there? No doubt in some quarters they would be received with all the honours of martyrs. Elsewhere they would be regarded as persons who, for the purpose of contracting a marriage which is not legal in this country, had evaded the law of the Mother Country by undertaking the expense of a voyage to one of the Colonies; whilst other persons, desirous of contracting the identical marriage, were unable to do so because their business or their want of means obliged them to remain in the United Kingdom. Is that a pleasant position for a high-minded man or a pure-minded woman to stand in? But that is what your measure would lead to. I will take another case, and suppose two brothers who are successively in remainder to some property or some title. Each of these brothers has become a childless widower, and each feels that the vacant chair at his desolate hearth might be best filled by his sister-in-law. The elder brother is poor and unable to afford the expense of a voyage to the Colonies. He goes through the marriage ceremony, say in England, or in Denmark, with his sister-in-law. The younger brother, more adventurous or more wealthy, makes his voyage to Australia, and after due interval of time brings back blushing sister-in-law decorated with his surname, from the southern hemisphere. Now the question of property comes in. A son is born to each. The son of the elder brother and of the elder brother's sister-in-law is illegitimate, because his parents clung to Europe. The son of the younger brother and the younger brother's sister-in-law inherits the estate or the title because his parents took that pleasant voyage to Australia. Is that a state of things which anybody would like to see existing in England? Yet that is another result to which this Bill of yours would lead you. By this Bill you enable a man, at the small expense of a journey to Australia and back, if he can afford it, and possibly of a residence of twelve months in one of the Colonies, to marry and bring back that person as his wife. What is this but to confound the ideas of right and wrong, to defeat the laws of succession and inheritance, and to commit an outrage on the social feelings of the country, just

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because the man has a longer purse and some more leisure than the small residuum of persons remaining in England, who might wish to do the same thing, but are wanting in the material means of giving effect to their desires. This, Sir, is the light in which I am compelled to regard this Bill."

Earl Percy said:

"The Colonies had passed Acts legalising these marriages, and those Acts had received the assent of Her Majesty, and because that had been done they were now asked to change their own law in order to put themselves right with the Colonies. He wanted to know how far that argument was to be carried? Were we prepared to accept the views of the colonist on all matters in which the Colonial Legislatures came into contact with the Imperial Legislature? If that were to be the rule, he could hardly understand how we could be said to be independent of the Colonies at all—it would be for the Colonies to dictate the laws which they were to pass. These marriages were objected to on moral, social and religious grounds, and they were asked to change their conduct on a moral, social and religious question in order to suit the Colonies. If this Bill were passed, a rich man would be enabled to contract a marriage legally with his deceased wife's sister, whereas a poor man could not do so. Legislation of this kind would be introducing the thin end of the wedge. If marriage with a deceased wife's sister were right and lawful, let them pass a measure making it legal; but, if not, let them resist by every means in their power any modification of the law by any indirect method of dealing with the question."

The Attorney-General of England said:

"According to the English law, a man domiciled in this country could not contract a valid marriage with his deceased wife's sister either here or elsewhere. Such a marriage, whether contracted in England or elsewhere, was wholly null and void. The law of Scotland was more stringent still. Such marriage in that country was not only void, because illegal, but was a crime, and a man contracting the marriage might be subjected to severe penalties, formerly if not now, to death. If a man not domiciled in a Colony—and a domicile was a most important element in this question—married the sister of his deceased wife in that Colony, the marriage, although according to the law of the Colony it was perfectly good, and was recognised as valid whilst the man and his wife remained there, was not so recognised in England; but on the contrary was considered an invalid marriage altogether."

Mr. Osborne Morgan said:

"An Englishman domiciled in Australia, and having married his deceased wife's sister and having issue by her, might return to England and might there invest £1,000 in the funds and another £1,000 in the purchase of freehold land. At his death, intestate, his son by the second marriage would be legitimate as to the funded property but a bastard as to the land."

Before the introduction of the Bill in the English House of Commons, by Lord Lyndhurst, the law of the Empire declared the marriage of a man with his deceased wife's sister voidable, but void only when decision was pronounced by the Courts of England. Lord Lyndhurst's Bill changed the law, by legalising all past marriages contracted with a deceased wife's sister by a widower up to 1865, but so amended the law that all marriages of that nature after the passing of that Act, 1865, was declared absolutely void. I appeal to hon. members of this House and ask, is it not our duty, with the evidence before us of the apparently inflexible determination of British statesmen to hold all marriages by a man with his deceased wife's sister, in England, void, and the unhappy consequences which may result and overtake the families and the children of such marriages inheriting property or title, especially in England, to reject the measure now before this House, which, if passed, will encourage a state of things repugnant to the educated public opinion of the Empire, and declared by her laws to be void and of no effect? I admit the natural feelings of relationship may secure to the children of the deceased mother, in some instances, a more tender and affectionate consideration, at the hands of the sister of their deceased mother, than they would at the hands of a second wife of their father, in no way or manner connected previously with the family by ties of relationship. But I deny, emphatically deny, that any true and good woman, worthy of being called by the sacred name of wife and mother, and accepting the responsibilities which at the time of her marriage with a widower she was fully informed would come within the compass of her legitimate duties, would withhold from those young, tender, helpless and motherless little ones that affection and gentleness which distinguish a true woman's nature. I shall vote that the Bill be read this day six months.

MR. ROSS (Dundas): I do not desire to give a silent vote on this question, because I consider it very important. I entirely differ with the hon. member for South Leeds (Mr. Jones) on the subject, and as to the views held by the Church of England. In my intercourse with clergymen of that Church, I have often heard

them express regret that they were frequently obliged to refuse to solemnise marriages with deceased wives' sisters. Many valuable members of this Church have left it, and joined other Churches on account of this disability. I do not believe there is any good reason why we should interfere with persons desirous of uniting in marriage, to prevent them. It appears to me that no person is so suitable to take the place of a deceased sister as a surviving sister, or to take care of the children and exercise that kindly oversight which the departed would have wished. Parliament has no right to prevent such unions, for which there are so many strong, natural and other reasons. The great patriarch, Abraham, himself married his half-sister; and, if there was nothing wrong in that act, why should we consider it wrong at the present age to permit the present proposed Bill to become law. Therefore, I shall have great pleasure in voting for the Bill of the hon. member for Jacques Cartier, who shows himself up to the age, and a friend of that liberty we all should approve of when there is nothing wrong behind it.

MR. ANGLIN: I agree with the hon. member for South Leeds in one of his propositions, that neither the Government nor the Parliament, King, Lords or Commons, has anything to do with the law of marriage, which should be settled by the Church only. However, with regard to the temporal questions, including the settlement of property, the power of the Legislature in modern times must be invoked. I should support any Bill intended to settle property rights on the part of those contracting such marriages as are named in this Bill. I think the word "valid" objectionable, unless we regard it as only used in a Parliamentary sense, and having no meaning beyond the admitted powers of the Legislature; but the word "legal" is a different word, which I would prefer to see used alone in this connection; for, in using the word "legal," no Catholic supporting the Bill could be supposed to express any doubt as to the validity of any marriage contracted according to the laws of the Catholic Church.

MR. GIROUARD: I consent to the suggestion of the hon. member for Gloucester (Mr. Anglin), and will allow the word "legal" to stand for the purpose of

the Bill instead of the word "valid." That will be sufficient.

MR. LANDRY : In a question assuming all the importance which is generally ascribed to the question now before the House, it appears to me that great advantages would result in the debate if the matter were placed on a proper footing. And what can that footing be if it be not the great principles which form the foundation of society, and the luminous brilliancy of which enlightens the intellect, by pointing out, as the lighthouse does to the pilot, the dangers of navigation, the reefs upon the shore. And if ever we stand in need of a skilful pilot, if ever prudence, even when least distrustful, for bade us to entrust the vessel in which we are embarked to the mercy of the wind, if ever we needed the steady hand of the steersman, it is under existing circumstances, when we have to encounter a species of legislation which may attack or protect the rights of the Church, restrict our own, and seriously compromise those which are claimed by the Provincial Legislatures. These are the three reefs which stand forth before us; this is the three-fold danger which we have to avoid. Gathered together from all points in the Dominion, we are all here as representatives of the people, and our duty is, by wise and enlightened legislation, to attain the objects aimed at by the civil and political society of which we are members; but we are also members of a religious society, and as such strictly held to the obligations which it imposes upon us, entirely subject to its ordinances and bound to respect its rights. Let me, Sir, going at once to the point, state from that point of view what are the rights and the duties of each individual. It is an elementary and universally recognised principle in every society that power must be proportionate to the object which that society proposes to attain. By power must be now understood the entirety of the rights possessed by society, whether such rights are derived from society itself, the intrinsic source of power, or whether they are the results of certain agreements, the extrinsic source of power. In virtue of its nature, that is to say, of an intrinsic derivation, all society has a right to exact all that is requisite for the complete attainment of its object. Now,

to obtain that result, a three-fold power is necessary: 1st. That of proposing in an obligatory form the means tending towards its object—legislative power; 2nd. That of compelling the proper application of such means according to the sense and in the manner prescribed by the authority proposing them—judicial power; 3rd. That of forcibly constraining those who refuse to apply them, and of repressing those who attempt to obstruct them—coercive power. This necessity of power, as a means of attaining the end, does not limit its extent; it is the end itself which regulates and fixes it. In fact the end is the main element of all society; it is the source of its existence; this it is which determines the nature of the means, their proportion and their utility. It evidently follows from their nature that the means are subordinate to the end. It is now easy to draw a conclusion. Power in all society is a means which, of its nature, it has to attain its end; it is a means which must be subordinate to the end. Therefore, in all society, power, let its source be what it may, intrinsic or extrinsic, let its nature be what it may, legislative, judicial or coercive, must be proportionate to the end which society proposes to attain. Such is its extent. If we now glance at all societies at present existing on the face of the earth, the most cursory examination of the question will demonstrate the existence of two principal forms of society, which include all others: 1st. Religious society, the Church; 2nd. Civil society, the State. If men unite and form societies, it is with a view of labouring for the attainment of benefits which prosperity confers upon them. Now all benefits composing the happiness and prosperity of mankind are included of necessity either in spiritual welfare or in temporal welfare. Thus civil society and the Church divide between them the attainment of this double welfare, temporal welfare falling to civil society and spiritual welfare to the Church. Thus the Church and civil society comprise all other societies. The existence of these two branches of society being admitted, let us consider the relations which may exist between them. Those relations are not always alike, for the good reason that civil society or the State presents variation in its composition,

which must of necessity influence its relations with the Church. It will be understood that a Catholic State cannot have the same relation with the Church as a heretical or an infidel State. But let us leave out of the question civil society, composed from a religious point of view,—first, of infidel individuals, society not under the dominion of the Church; second, of schismatical and heretical individuals, society separated from the Church, but subject to its power—to consider only civil society composed, still from a religious point of view, third, of Catholic individuals, society united to the Church and subject to its power. In this latter society, and this it is which distinguishes it from the other two, the individual belongs at once to both branches of society, to civil society as a citizen and to the Church as a Catholic. Now in every society the obligation obtains that the members of it should unite their power to attain a fixed end. In the case under consideration, he, therefore, who is at once a member both of civil society and religious society, is subjected to a double obligation, that of attaining the object of civil society, of which he is a member, and that of attaining the object of religious society, of which he is also a member. If these obligations be compared with each other, it will be found that they agree, that is, that they exist without conflict or discord. Now societies, being under the same conditions, since from their nature such obligations exist, are either in accord with each other or in conflict. What is then the duty of the Catholic citizen, that is to say, of him who is at once a member of civil and of religious society? If the two societies are in accord, if their obligations exist together without conflicting, the duty of the Catholic citizen is easy of performance; he has only to conform to the obligations of the two societies of which he is a member. But if these are in conflict, if one cannot strive for its object, at least in its own opinion, without interfering with the other; if the Catholic citizen, in a word, is brought face to face with contending obligations, what line of conduct should he adopt, the choice to be made being decided by the motive? This is what we have to define: Religious society, the Church; and civil society, the State; are, as compared with each other, two unequal societies, but com-

posed, as in the present case, of the same members. They are two unequal societies, because their objects are unequal. There can indeed be no equality between eternal welfare, the object of the Church; and temporal welfare, the object of the State. If the objects are not equal, it follows, as a matter of course, that one must be superior to the other, otherwise they would not be unequal. Is it necessary for me to prove that eternal welfare is superior to temporal welfare? No, that is an admitted truth, evident to all the world. Therefore, the object of the Church is superior to that of the State. Again, it is admitted, and it is the principle which serves as the basis of our argument, and which was cited at its commencement, it is admitted without question that in society all power must be proportionate to the object. Therefore, the power of the Church, a society superior to civil society, because its object is superior to that of the State, is itself superior to that of the State. In view of contradictory obligations imposed, the one by religious power and the other by civil power, the Catholic citizen is therefore bound to obey the Church in preference to the State. But the duty of obeying is correlative with the right to command, that is to say that it is the duty of the citizen to obey, because it is the right of the State to exact that obedience. But, if, in view of contradictory obligations emanating, the one from the State, and the other from the Church, the Catholic citizen is only found to submit to the latter, he therefore does not and cannot owe obedience to the State. Therefore the State has not the right to exact such obedience—judicial power. If the State has not the power to exact such obedience, it follows that it does not possess that of compelling by force the citizen whose duty does not bind him to obey—coercive power. Further, if the State has not the right to exact or to compel, it cannot have that of proposing, in an obligatory form, what cannot be an obligation to a Catholic citizen—legislative power. The State has therefore no power to impose on Catholic citizens obligations which contravene the rights of the Church. The legislator—and we are here as legislators—has not therefore the power of legislating in a manner opposed to the rights of the Church. Such are



the true principles which must guide us, and make us Catholics accept the teachings of the Church. Now, what are those teachings at least so far as relates to the question of marriage. Before replying, it is important to establish at once what are the rights of the Church in this important matter. The forbearance of the House will allow of my approaching this question. In the abstract, marriage is a natural, civil and ecclesiastical contract. It is a natural contract instituted by God himself amid the magnificence of the terrestrial paradise and the unity and indissolubility of which receive a sanction and authority which is no less than Divine in character from the words of Genesis :

“ Erunt duo in carne unâ ;  
Quod Deus conjunxit homo non separet.”

Marriage is also a civil contract, but in this sense only, that it is a contract subject to certain civil formalities, apart from which the marriage may be looked upon as void as respects the civil results which may follow it. Thirdly, marriage is an ecclesiastical contract, and as such subject to the canons of the Church. By this it is not to be supposed that marriage is a triple contract. Not so, it is a single contract which takes these several names according as it is looked at, as relating to the propagation of the human race or as a matter of interest either to civil society or to religious society. I have stated that marriage is an ecclesiastical contract subject to the canons of the Church. That truth I shall now demonstrate. Since this discussion began, you must have observed, Sir, that most of those on either side have, as a rule, each in his turn, addressed in support of their assertions, the incontrovertible authority of Holy Scripture. Such an advantage should not be denied me, and I may be allowed to prove my proposition by biblical quotations, which I shall give, not as an expression of my own individual views, but as the doctrinal and divine interpretation of the Church to which I belong. First, I state that marriage is a sacrament. What St. Paul wrote to the Ephesians (v., 25, 28) : “ Sacramentum hoc magnum est, ego autem dico in Christo et in ecclesiâ,” is an incontrovertible proof of the truth of this proposition, and the more so for us Catholics, because it has

also been the teaching of the Church from its foundation to the present day. The fathers of the Church have spoken : St. Ignatius of Antioch, Tertullian, Origen, St. Athanasius, St. Augustin, etc.; the voice of the Church was heard at Florence, at Cologne, at Trent ; and everywhere and at all times marriage was proclaimed a sacrament. Now, what the Universal Church believes, and has always believed, can only have been transmitted to us by Apostolic tradition, and what the Apostles have transmitted to us as a divine institution, proceeds as all admit from Jesus Christ himself. Marriage is therefore a sacrament and a sacrament of the new law. For us Catholics it is a dogma of faith. Pius IX, in his letter to the King of Sardinia, dated 19th September, 1852, says : “ It is a dogma of faith that marriage was raised by Our Lord Jesus Christ to the dignity of a sacrament.” Would you know the doctrine? The Council of Trent speaks : “ Whosoever says that marriage is not really and truly one of the seven sacraments of the Evangelical Law, let him be anathema.” If marriage is a sacrament, and such is our unalterable belief, the Church only, by divine right, has supreme power over christian marriage. In fact the Church alone is the dispenser of the sacraments. St. Paul teaches us this in his first epistle to the Corinthians, chapter 4, in which he says : “ Let a man so account of us as of the ministers of Jesus Christ and stewards of the mysteries of God.” The Pope Gelasius, writing to the Emperor Anastasius told him plainly : “ Although your dignity raises you above the human race, you are nevertheless subject to the Bishops in matters relating to the faith, and to the delivering of the sacraments.” And what is a sacrament, if it be not a means subordinate in its nature to the object of religious society? The Church has, therefore, supreme power over marriage. An examination of history proves that in all ages the Church claimed, by divine right, power over marriage. In the days of the primitive Church, the Apostle to the Gentiles, writing to the Corinthians, told them that it was not the Lord but he, Paul (Dico ego non Dominus), who prescribed a regulation in relation to marriage between infidels, one of whom had embraced the faith. He thereby recog-

nised the right of the Church to make regulations respecting marriage. In 305, the Council of Elvira, that of Neocæsarea in 314, St. Basil, Pope Innocent I, Pope St. Leo, the Council of Agda in 506, St. Gregory the Great, the Church in a word, by the lips of her teachers and the decisions of her Councils, promulgates her laws as to marriage, and decides what are absolute impediments, and we Catholics have only to submit to that infallible authority. And when error lifts up its head, when the most false principles are circulating in society and threatens to poison all true doctrine, a Pontiff of sainted memory does not fear to raise his voice. And what are the words of that aged man? They condemn this proposition:—"The Church has not the power to establish absolute impediments to marriage, but that power appertains to the secular authority, by whom existing impediments may be removed," (Syllabus, 68.) We now arrive at the true question as it presents itself to us. We shall easily solve it. The hon. member for Jacques Cartier brings in a Bill which may meet with our approval, but he has just delivered a speech which I cannot accept as an expression of the ideas and principles of Catholics upon this question of marriage. What does the hon. member maintain? That this Parliament has the undoubted right to establish absolute impediments to marriage, and the not less undoubted power of dispensing with them. I protest against such a declaration, and I emphatically deny that this Parliament has a right to legislate as to the validity of marriage. Marriage is a sacrament; the State has nothing to say as to the administration of the sacrament, and, by consequence, as to the validity of marriage. That is an ecclesiastical contract over which religious society alone has a power, which cannot be vested in the State. Further, the doctrine announced by the hon. member for Jacques Cartier, so far as we Catholics are concerned, has been solemnly condemned by Pius IX in the 68th Article of the Syllabus, which I read a few minutes ago. I think, however, that the hon. member has confounded absolute with prohibitive impediments. It is important that the difference should be understood, and that distinction should be made in a case where there should be

no confusion. By an impediment to marriage must be understood every obstacle to marriage. When that obstacle cannot be overcome without rendering the marriage void, the impediment is said to be absolute. If an individual, regardless of the law, by a misdemeanour, contracts a valid marriage, the impediment is said to be a prohibitive one. As may clearly be seen, the absolute impediment is an insurmountable obstacle to marriage, as it renders the parties unable to contract. It is an obstacle to the administration of the sacrament, for marriage is a sacrament. The State, therefore, has nothing whatever to do with it, and to the Church alone belongs the power of establishing such impediments; the Church alone has the power of dispensing with them; and, whereas amongst us Catholics no one can question the testimony of our infallible Pontiff, I shall now cite an extract from the letter of Pius IX to the King of Sardinia, under date of 19th September, 1852:

"A civil law, which, supposing the sacrament to be divisible from the contract of marriage for Catholics, pretends to regulate the validity thereof, contradicts the doctrine of the Church, usurps her inalienable rights, and in practice puts in the same rank concubinage and the sacrament of marriage, or sanctions the one and the other as equally legitimate. Let Caesar, keeping what is Caesar's, leave to the Church what belongs to the Church. Let the civil power deal with the effects resulting from marriage, but let it leave the Church to regulate the validity of marriage itself between Christians. Let the civil law take for its starting point the validity or invalidity of marriage as determined by the Church; and starting from that fact which it cannot constitute, the same being without its sphere, let it regulate the civil effects."

The Church, therefore, claims for herself alone the right of regulating the validity of marriage, the power of legislating on absolute impediments. The proposition of the hon. member for Jacques Cartier is therefore untenable. No, Mr. Speaker, we have not the right to establish absolute impediments to marriage; what we can do, as a Parliament, as a civil authority is, "taking for our starting point the validity or invalidity of marriage, to regulate solely its civil effects." Parliaments have that power only. "The matrimonial contract," says Mazzarelli, "is governed by the laws of the Church, because it is a spiritual contract *in ordine sacramentum*." Let the civil power,

therefore, preserve its authority; no person desires to usurp it. Let it declare null and void any contract made without the formalities it prescribes. Will that contract be void? Yes; who denies it? It will have no validity—but, be it well understood, it will have no validity before the civil power. And what is meant by saying it will have no validity before the civil power? It means that it will give the contracting parties, in civil society, no legitimate action, for this is the sole and only result of the annulling of a civil contract. But, if the Church determines that the same contract is valid *in foro conscientie, in ordine ad sacramentum*, it will be valid matter of the sacrament, and the marriage will be indissoluble in the eyes of the Church. And why? Because it is not the civil contract, but the natural, divine, spiritual, ecclesiastical contract, which is the matter of the sacrament of marriage; and it is the laws of the Church that govern spiritual contracts and offices. These principles being clearly established, let us proceed to enquire as to the nature of the measure now before us. What is the purport of the Bill of the hon. member for Jacques Cartier? It is as follows:—

“1. Marriage between a man and the sister of his deceased wife, or the widow of his deceased brother, shall be legal and valid; Provided always, that, if, in any Church or religious body whose ministers are authorised to celebrate marriages, any previous dispensation, by reason of such affinity between the parties, be required to give validity to such marriage, the said dispensation shall be first obtained according to the rules and customs of the said Church or religious body; Provided also, that it shall not be compulsory for any officiating minister to celebrate such marriage.

“2. All such marriages heretofore contracted as aforesaid are hereby declared valid, cases (if any) pending in Courts of Justice alone excepted.”

The first paragraph declares to be legal and valid a marriage, against which the Church has set up an invalidating impediment, but it must be remarked that this clause is not absolute, and that it only stands together with the proviso accompanying it, which is nothing but the setting forth of the conditions to which the contracting parties should submit, if they desire their marriage to be considered by the State as legal and valid. And what are these conditions? The same which the Church desires to impose. By legis-

MR. LANDRY.

lation such as this the State recognises the rights of the Church, accepts her ordinances, and only recognises as legal and valid, in the particular cases we are now discussing, the marriage when contracted after the preliminary dispensation has been obtained, in conformity with the rules and usages of the Church. Legislation of a similar nature to this—not complete, it is true, but such as it is—should be accepted by the Catholics in this House, and will be I hope. We will vote then against the proposition made to us by the hon. member for Haldimand (Mr. Thompson) to give this Bill a six months' 'hoist.' Favourably as I regard the principle enunciated in the proposed law as now presented to us by the hon. member for Jacques Cartier, I must nevertheless make some important reservations. This legislation is incomplete and ambiguous, and in its phraseology leaves much to be desired. For example, as the hon. member for West Durham (Mr. Blake) remarked, there is nothing in this legislation which determines the line of conduct to follow, or at least which establishes the line of conduct to be followed when the contracting parties belong to different religious creeds. I do not intend to attempt a critical examination of the wording of the measure, but, when the House goes into Committee, I shall suggest one change which I consider desirable. This measure, Mr. Speaker, may be considered from another point of view. There are other considerations which must not be lost sight of. Indeed, in this important question of marriage, the Local Legislatures have a jurisdiction which must be jealously guarded, and we must not permit this Legislature to encroach in any way upon the rights and privileges of our Provincial Legislatures. I trust that, when this measure is again submitted to our consideration, in Committee of the Whole, it will receive all the modifications required to render it a measure worthy of this House, and in keeping with the true principles of religious and civil society, and in conformity with the rights and privileges which the fathers of Confederation gave to our Local Legislatures.

Motion made and question proposed :

That the said Bill be not now read the second time, but that it be read the second time this day six weeks.—(Mr. Thompson, Haldimand.)

The House divided :—Yeas, 19; Nays, 140.

## YEAS :

## Messieurs

Charlton	McLeod
Farrow	McQuade
Geofrion	O'Connor
Jones	Patterson (Essex)
Keeler	Stephenson
Macdonald (Vict. N.S.)	Thompson (Haldimand)
MacDonnell (Inverness)	Trow
McQuaig	Weldon
McIsaac	Williams.—19.
McKay	

## NAYS :

## Messieurs

Abbott	Kaulbach
Allison	Kilvert
Anglin	King
Arkell	Kranz
Baby	Landry
Baker	Lane
Baruard	Langévin
Beauchesne	LaRue
Béchar	Longley
Benoit	Macdonald (Kings PEI)
Bergeron	McDonald (Pictou)
B. gin	Ma donell (N. Lanark)
B. ll	Macenzie
Blake	Macmillan
Bourassa	McCallum
Bourbeau	McIn. es
Bowell	McLennan
Brecken	McRory
Brown	Malouin
Bunster	Masson
Burpee (St John)	Massue
Burpee (Sunbury)	Merner
Cameron (South Huron)	Méthot
Cameron (N. Victoria)	Mills
Carling	M. ntplaisir
Caron	Mousseau
Cartwright	Muttart
Casey	Ogden
Casgrain	Oliver
Chandler	Olivier
Cimon	Orton
Cockburn (Muskoka)	Quimet
Colby	Paterson (S. Brant)
Connell	Pickard
Costigan	Pinsonneault
Coughlin	Platt
Coupal	Plumb
Currier	Pope (Queen's P.E.I.)
Cuthbert	Richey
Daoust	Rinfret
Desaulniers	Robertson (Hamilton)
Desjardins	Robertson (Shelburne)
Domville	Rogers
Doull	Ross (Dundas)
Dugas	Ross (West Middlesex)
Dumont	Rouleau
Elliott	Routhier
Fi-et	Royal
Fitzsimmons	Ryan (Marquette)
Fleming	Rymal
Fulton	Scrifer
Gault	Skinner
Gigault	Smith (Selkirk)

Gillies	Snowball
Gillmor	Sproule
Girouard (Jacques Cart.)	Strange
Girouard (Kent, N. B.)	Passé
Grandbois	Tellier
Gunn	Thompson (Cariboo)
Hackett	Tupper
Haddow	Vallée
H ay	Vanasse
Hesson	Wallace (S. Norfolk)
Hilliard	Wallace (W. York)
Holton	White (Cardwell)
Hooper	White (E. Ha-tings)
Houde	White (N. Renfrew)
Huntington	Wiser
Hurteau	Wright
Ives	Yeo.—140

## PAIRS :

For—	Against—
Daly	McCarthy
Bannerman	Smith (Westmoreland)

Question resolved in the *negative*.

Bill read the second time.

House adjourned at

Fifteen minutes before

Eleven o'clock.

## HOUSE OF COMMONS.

Friday, 5th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

## PRIVATE BILLS RECEPTION.

TIME EXTENDED.

MR. ROBINSON: I move that the time for receiving petitions for Private Bills be extended for twelve days. This is the same motion I previously introduced to the notice of the House. Exception was taken to it by the hon. member for Chateauguay (Mr. Holton), who thought it better that, in accordance with a strict interpretation of the Rule of the House, the sanction of another Committee should be had to the same request, which has now been given by the Committee on Private Bills. I take it for granted, therefore, that this motion will meet with the acceptance of the House. In relation to a remark made yesterday about the supposed necessity of the Committee on Standing Orders insisting on the observance of the rule requiring a Private Bill to be deposited with the Clerk of the House, eight days before the meeting of the House I find, on enquiry, that, if that rule is enforced, it must be with the concurrence of the House, and is not within the province of

any Committee. The request for an extension of time seems reasonable. The House is supposed to sit about three months, and, considering the importance of many of the Private Bills, it seems but right to ask for an extension of time for their reception. Some of these Private Bills are of more consequence than some Public Bills—for instance, a Bill concerning a Charter for a railway affecting the interests of some thousands of people.

MR. BLAKE: I was surprised to hear the reason given yesterday, and repeated to-day, for the indulgence which it is suggested should be extended to promoters of Private Bills, because I was aware that on former occasions a course had been adopted, which I perceive from the certificate of the Clerk is still followed, which renders that excuse quite untenable. The course is that, so soon as a notice for a Private Bill appears in the *Official Gazette*, a copy of the Rules is sent to the signer of the notice, and these Rules show him that a copy of the Bill must be deposited with the Clerk of the House eight days before its meeting, and that no petition for a Private Bill can be received after the first ten days of the Session. I think under these circumstances it cannot be said that there is any reasonable excuse for the promoters of Private Bills now, in the third week of the Session, wanting an extension of twelve days in the presentation of petitions. I agree that Private Bills may be of considerable consequence, affecting important private rights, and it is for that very reason that they should come before the Committees at a season when they can be properly considered. I think the Government ought to take, this Session, some decisive step which will render it impossible for any promoter of a Private Bill to say, the Rule made in 1876 having been broken every Session since, he had a right to expect it would be broken again forever; and for that reason he was late in bringing his Bill forward. If there be any exceptional case in which a good reason can be given for the delay, the Rule can be suspended. But there should be no wholesale suspension. Else we had better at once abrogate the Rule, and make our laws conformable to the bad practices of Private Bill promoters.

MR. ROBERTSON (Hamilton): I

MR. ROBINSON.

agree with the hon. member for West-Durham (Mr. Blake) in a great deal that he has said, but; as it is well known throughout the country that the Rule has been suspended time and again, I think it would be unwise to enforce it at this particular moment. There are a great many important Private Bills, I understand, which are yet in the hands of the printer, and have not yet been reported upon. I hope, whatever may be the subsequent course, that the recommendation of the Committee in the present instance will be complied with.

MR. RYMAL: I had once the pleasure of being Chairman of that Standing Orders Committee, and I found that persons who had any exceptional private legislation to pass through were the very ones who came late, with some excuse, and endeavoured to have the Rule set aside. If there be a special case, the House can treat it as such.

MR. MACKENZIE: There was a universal concurrence of opinion, four years ago, that this should be put a stop to. Instead of its being stopped, the practice has been growing, and the hon. member for Hamilton now claims the very laxity of the practice as a reason why it should be continued. Unless the leader of the House takes some strong measures in this matter, we might as well have the Rule abolished altogether. Indeed, it is a dangerous thing to have this constantly set aside, because some very questionable legislation might be forced upon us. Some of us who have sat for a long time in the House have experience of its being used for the purpose of getting questionable Bills introduced at a busy time of the Session, which would have had no chance had they been introduced at a time when discussion upon them could be more easily obtained. I hope the hon. gentleman who leads the Government will take vigorous steps in the matter.

SIR JOHN A. MACDONALD: The hon. gentleman is correct in stating that there was a unanimous consent that some check should be placed upon the introduction of Private Bills all through the Session, and suspending the Rules which were made for the protection of people who might be affected by this private legislation, who, if they had insufficient notice, would be obliged to let judgment go by

default. With respect to special interests what the hon. member for Lambton (Mr. Mackenzie) has said is also true. It was for the purpose of removing great evils that those Rules were made, but the question is whether those Rules from the moment they were adopted have been rigidly carried out. I think they have been fairly observed. They were adopted in 1876, 1877 and 1878, and ought to be supported. Any hon. member who has had a special Bill, which, for some special reason, was not presented in time, might get the House to dispense with the Rules when the special reasons were stated.

**MR. ANGLIN:** There seems to be some misapprehension with regard to the manner in which the Rules were enforced. In 1876 the old state of things was continued, because we were satisfied that many people would be put to great inconvenience. But unless I am greatly mistaken, this particular Rule was enforced in 1877 and 1878. At this moment, I cannot recall a single instance in which it was departed from. My impression also is that the Rule was pretty well observed last Session. It demands the grave consideration of the House whether this Rule should be suspended or not.

**MR. CARLING:** I think the proposition of the hon. the First Minister must commend itself to the House. It is a proposition which should commend itself to the House.

**MR. ROBINSON:** There are no Rules affecting any Committee of the House which have been changed so often as those under consideration. In 1873, certain Rules which were in force prior to that time were abolished, and from that time until 1876 another practice governed the Committee on Standing Orders. In the latter year the present Rules were introduced, and to a great extent they have governed the action of the Committee. I think, if a Committee of both sides of the House were now to consider the question, a change would no doubt again be effected to the advantage of the House and the public.

*Motion negatived.*

**MR. CAMERON** (North Victoria): I move that the time for the reception of Private Bills be extended twelve days. By voting upon this the House can show its opinion as to the proposition for the

hon. member from Toronto (Mr. Robinson).

**MR. BLAKE:** The proposition for an extension has been lost.

**MR. CAMERON:** This is a different motion. It is for the extension of the time for the admission of Private Bills.

**SIR JOHN A. MACDONALD** moved in amendment that the word "twelve" be struck out and "six" be inserted.

*Motion, as amended, agreed to.*

#### BILLS INTRODUCED.

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

Bill (No. 57) To consolidate and amend the Acts relating to the North-West Territories.—*(Sir John A. Macdonald.)*

Bill (No. 59) To repeal the 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.)*

#### IMMIGRATION ACT AMENDMENT BILL.

*(Mr. Fleming.)*

##### FIRST READING.

**MR. FLEMING** introduced a Bill (No. 58) Further to amend the Immigration Act of 1869. He said: I may explain that the object of the Bill is to render the master of a vessel carrying passengers to this country responsible for pauper or destitute emigrants in the same manner as he is now held responsible with regard to those who may be lunatic, idiotic, deaf or dumb, blind or infirm. The effect of the Bill, if it should become law, would be to require the master of the vessel, on arriving at any port in Canada, to report to the Collector of Customs at such port the name and age of all passengers who are paupers or destitute persons. If the master failed to make such a report, he would be liable to a penalty for his neglect. Upon the arrival of the vessel at the port, it is provided that, if the medical superintendent, on examination, finds among the passengers a pauper or destitute person who in his opinion is likely to become a permanent charge on the public, he will report to the Collector of Customs at the port, who shall require the master of the vessel to execute a bond in the sum of \$300, the condition being to indemnify the Government or any municipal corporation, or

charitable society from any expense or charge to be incurred within three years for the maintenance and support of such pauper or destitute passenger. It will be optional with the master of the vessel either to enter into such a bond or to pay the Collector of the port a sum of money to be fixed by the Government, in lieu of this bond. The 16th section of the Act of 1869, which gives power to the Governor by proclamation to prohibit the landing of pauper or destitute emigrants until a sufficient sum of money is provided for their temporary support and transport, is by this Bill repealed.

Bill read the first time.

#### NEWSPAPER REPORTS.

##### CORRECTION OF ERRORS.

MR. DAWSON: Before the Orders of the Day are called, I beg leave to draw the attention of the House to a notice which appeared in one of the Toronto papers, to the following effect:

"The treatment received by Mr. Mills at Mr. Dawson's hands was certainly far from courteous. Instead of Mr. Mills attendance being politely requested, without any previous intimation he was served with a summons as if he were a refractory witness."

I beg to say that the persons referred to were requested to give the Committee such information as they thought fit, and at a special meeting the following day Mr. Mills was heard and gave interesting and valuable information. The signing of that summons was a mere formality on the part of the clerk, who has been twenty years in the House, without the Chairman or members of the Committee being consulted.

MR. LANDRY: I beg to call the attention of the House to a report which appears in the *Citizen* to-day. In the speech I made on the Bill of the hon. member for Jacques Cartier, I am reported to have "cited a large number of the authorities of the Church to prove that the proposed Bill was opposed to the spirit of religion and sound stability." I never took that view of the question. On the contrary, I tried to prove that sound stability and the spirit of religion was not at all against the measure introduced by my hon. friend the member for Jacques Cartier (Mr. Girouard).

MR. FLEMING.

#### BRITISH COLUMBIA ADDITIONAL SUPREME COURT JUDGES

BILL.—[BILL 44.]

(Mr. McDonald, Pictou.)

##### SECOND READING.

Order for second reading read.

MR. BLAKE: I observe that neither the Bill nor the Local Act of 1879 contains a provision for carrying out the plan prescribed by the Local Act, which provides that, of the five Judges of the Supreme Court, two only shall be stationed in Victoria, and three shall be resident at named points in the mainland. With reference to the two new Judges to be appointed, I presume it will be competent to the Executive to prescribe to them the places at which they are to reside. It appears to me the Local and Federal legislation taken together will be defective in not giving adequate power to carry out the scheme of the Local Legislature, unless some legislation exists enabling the Executive in proper form to carry out the provisions as to changing the residence of existing Judges. I make this suggestion, not that I am at all shaken in my opposition to the Bill, but because it appears clear the difficulty should be presented with a view of its being removed before the measure becomes law. It is not conceivable that without some legislation, Local or otherwise, the Executive should have the power of ordering a Judge, who has been appointed to a Court stationed at Victoria, to reside at Barkerville; nor can such a disadvantageous transfer be properly effected without due consideration of its pecuniary and social results to the Judge removed. I am satisfied that the Government will not, without further Local and Federal Legislation, and increased expense, be able to carry out the scheme of the Act of 1879.

MR. McDONALD (Pictou): As at present advised, I do not think it would be proper to make any such amendment. I do not propose to interfere with the Legislature of British Columbia with reference to the disposition it proposes to make of its judicial strength. I think the duty of this Parliament is fully performed when, the Local Legislature having passed an Act appointing two additional Judges, it has provided, according to the Constitution, the salaries of those Judges.

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

### PACIFIC RAILWAY CONTRACTS.

#### ADJOURNED DEBATE.

House resumed the farther consideration of the proposed motion of Mr. McLennan: "That an Order of the House do issue for a statement of each contract let up to the 31st December, 1879, on the Pacific Railway, showing the estimated cost of the work on such contract according to the tender accepted, the amount paid to the contractor or contractors in respect thereof, and the amount yet required to complete the contract, so far as the same is known or approximately estimated; also, a statement of the decision, if any, arrived at by the Government as to the bridging of Red River, and the junction of the line west of Red River with the part of the road under construction from Thunder Bay and with the city of Winnipeg."

MR. MACKENZIE: When the House rose at six o'clock on Wednesday evening last, I was making some remarks concerning the motion of the hon. member for Glengarry (Mr. McLennan), and was about to notice some charges which the hon. gentleman made against those who were opposed to the Administration in 1872. In his comments he was desirous—at least he said so—of making only such comments as the circumstances justified respecting the period of the life of the late Administration and affecting the present. But I was a little surprised to find, among those comments, the hon. gentleman stating that hon. gentlemen on this side of the House were responsible for—if I recollect his words aright—obstructing and overturning the Act of 1872, for building the Pacific Railway. I can only express the charitable hope that, as the hon. gentleman was not then in Parliament, he was not in Canada either. There is no escape from the conclusion that, if in Canada, he has forgotten what took place during that eventful year. The Act authorising the Government to build the Canadian Pacific Railway was passed in June, 1872. Immediately thereafter a deputation, consisting of the chief contractors and some of the Ministers, visited England for the purpose of securing the capital necessary for the construction of this road. That deputation utterly failed in accomplishing their object. Up to the very last moment of their return from England, and of the meeting of

Parliament in 1873, indeed up to the close of that Session—at least to the adjournment had in consequence of the charges made by the hon. member for Shefford (Mr. Huntington)—the Administration held out hopes to this House and the country that they had accomplished their mission, and that the road would be built under the terms of the original Act and of the contract with Sir Hugh Allan. It was only some time after Parliament arose, in 1873, that the public became aware that Sir Hugh Allan had relinquished his contract on account of his failure in England to accomplish his purpose. And how the hon. member for Glengarry came to acquire and express the belief that gentlemen on this side of the House were responsible for the failure of the Administration's plans in 1872 is more than I can comprehend. The hon. gentleman, by his censorious remarks, courted a revival of the discussion of the events of 1872 and 1873. With regard to this, I have only to say it is not my intention at present to enter upon a discussion of those events, although, if the hon. gentleman or any of his friends on the Ministerial side desire to have those matters recalled, hon. gentlemen on this side will not shrink from the conflict. I think, however, that the general opinion of the hon. gentleman's *confrères* will be that it is not advisable, in their own interest, that such a revival of that discussion should take place. So far from obstructing and overturning the Government's plan of 1872, we would have been glad if the railroad could have been constructed without imposing any burdens on the people of Canada beyond that provided in the Act; and respecting the other statement of the hon. gentleman, that the effect of our obstruction in 1872 was ultimately to overturn that Government, I have only to say to him that he knows full well, or should know, what it was that overturned that Government—that it was acts of their own for which Parliament and the country held them responsible. But I would not have esteemed it a very great crime if we had overturned the Government on that or any other public measure on which we differed; and, as to the succeeding Government, of which I had the honour to be a member, having left its position with reference to this or any other matter, that does not enter



into the present discussion, and I do not propose to pursue the general discussion upon the Pacific Railway policy, further than is necessary at present to vindicate our own position, and show how fallacious the statement of the hon. gentleman was in making his motion. Everyone who recollects the events of 1872 and 1873 will perfectly comprehend why the project of the Government of that day failed in England, and why the Government was overturned; and everyone will understand perfectly that the hon. gentleman, who was not then in Parliament, and who has therefore no immediate responsibility for the acts of the gentlemen he now sustains, is desirous of making them appear as well as possible under very disadvantageous circumstances. He would, however, have done much better if he had avoided all reference to a matter which can only be termed disreputable to those he defends. With regard to the plan which the hon. member for Glengarry says was overturned and obstructed by us, I have this to say: I believed from the first that, if this road was to be built, it must be built through the taxation of the people of Canada. I had no objection to securing assistance from the public lands, but rather hoped that some assistance would be so obtained from the public lands of the North-West Territories through which it would pass. But I knew too well how little was ever realised from the public lands of the older Provinces to enable me to encourage any hope of obtaining very substantial assistance from that source. I therefore said in Parliament and elsewhere that I had no faith in the accomplishment of the promises of the hon. gentlemen opposite respecting the building of the road, and it turned out that, when the Ministers of that day, and their associates in connection with the Pacific Railway contract went to England, they were utterly unable to find any capitalist or contractor who would touch the project. But in the Act of 1874, which the late Administration introduced and passed, we also proceeded upon the assumption that something could be done with those lands. I have been reproached more than once with having adopted means for the payment of the building of the road which I formerly declared to be insufficient, and it is quite true that was the case. But a succeeding

Administration must very often adopt the ground taken by the previous Administration, although they may have opposed it during its passage. Because, when once an Act is an accomplished fact, it has to be acted upon, and, when the Canadian Parliament, at the instigation of hon. gentlemen opposite, had committed itself to a project of the most gigantic and expensive character, and had pledged its treaty faith to the accomplishment of its promises, it was not for the succeeding Administration to throw any obstacles in the way of its accomplishment, but to endeavour, as far as consistent with the welfare of the people generally throughout the country, to aid in the fulfilment of the promise and to give the plans of the previous Administration a fair chance of being realised. We, therefore, in the Act of 1874, provided means for utilising the public lands for the building of the road if they could be utilised, but during the progress of the surveys it became very apparent to us, as it must have done to every observant man throughout the country, that the only hope we had of ever obtaining any advantage from the building of the road was to furnish means as early as possible for throwing a large population into the prairie districts of the North-West, and depending on the development of trade more than on the value of the lands. The Government therefore determined, pending the completion of the surveying operations, to build a certain portion of the line under ordinary Government contracts. The Government determined to utilise the navigation of the lakes and river so far as they were navigable in that direction, so as to avoid the construction of any railroad where water communication might be used. I know that some ridicule has been cast upon the project for using the water-stretches for navigable purposes, and we were accused of having completely abandoned the scheme. We never did abandon it or any part of it. I would have no objection to abandon anything that I found to be less profitable or less advisable than what I believed it at one time to be. Nor would any wise man have any hesitation in changing his opinion when evidence should be afforded him that his opinion was based on wrong premises. We were quite satisfied that in the first

MR. MACKENZIE.

place we should use the great lakes westward to Fort William instead of building a road round Lakes Superior and Huron, and we were equally satisfied that to reach the waters in the central portion of the Territory, between Thunder Bay and Selkirk, by railroad communication was the proper mode of proceeding, and contracts were let out accordingly in that direction. Not one mile of road was built except what was in the most direct line of communication. The distance given by Mr. Dawson, in his map and in his pamphlet report, between Winnipeg and Thunder Bay, was, if I recollect aright 432 miles. The distance by the railroad route to Selkirk—as far west as Winnipeg—is only about 412 miles, if I remember aright. This shows that the most direct line has been obtained. But, while resolving to use the water-stretches as far as possible, the Government also resolved to proceed with the construction of 185 miles, if they found, upon the reception of the tenders and upon the consideration of the national finances, that it was possible and advisable to spend so much money upon that portion. Before these tenders were received for that portion, the Administration had passed out of office, and of course we were not responsible for what took place afterwards. The Government also contemplated acting under the same determined resolution that their expenditure should be controlled solely by the taxation necessary to be imposed; they had adopted the Burrard Inlet route, and proposed to build a line of railway from the neighbourhood of Yale to the navigable waters at Kamloops, subject of course to the conditions already mentioned. We had no reason to expect at the time we called for tenders that the cost of this road would reach so very large a sum as it appears to have reached. From the tenders before the House, and including the price of rails, so far as I am able to make out, the cost of the 125 miles cannot possibly be less than ten millions, a cost far in excess of what it was supposed it would probably be. I have no hesitation in saying that the late Administration would have hesitated before venturing to ask Parliament to sanction so serious an expenditure, at the present time, for such a comparatively short piece of the railroad. That is a matter which I will discuss, of course, when we reach

the question generally upon the Estimates. I regret that I have anything to say at all at present, but the course the hon. member for Glengarry (Mr. McLennan) has taken forced me to make a rapid survey of the events of the last few years and the policy of the two Administrations. There is one thing always to be kept in view; the Government of which I was a member held that, whilst they were bound, as far as the resources of the country would permit, to keep faith with the British Columbia Government, they held also that it was desirable to obtain better conditions with the Government of British Columbia if it were possible to do so, and, whether wisely or unwisely, compromise terms were effected through the mediation of Earl Carnarvon. These terms bound us to accomplish and finish the road from Lake Superior to the Pacific Ocean by the year 1890, but that arrangement was predicated upon and subject to the conditions of the Act of Parliament that had been passed here—the solemn resolution of the House of Commons that the expenditure for that purpose should not exceed what was commensurate with keeping the taxes of the country within the limits that then existed. We were bound not merely to do what we could to accomplish the bargain with British Columbia, but immeasurably before that we were bound to see that the whole country was not ruined in order to keep a comparatively useless and impossible bargain with that Province. All our measures were therefore based upon that ground, and we have felt continuously, during the last few years the serious danger of the country running into a rapid and unbearable accumulation of the public debt. I do not know, I have not the means at my hand for ascertaining, the precise expenditure connected with the past and present contracts on the Pacific Railway. If my memory serves me aright, the expenditure already incurred, and that involved in existing contracts will bring up the total expenditure at this moment to the neighbourhood of \$40,000,000. An hon. member behind me says it is much more than that; probably it is. I speak wholly from a general recollection of the various tenders. It is that at any rate. It was contemplated originally that the road was to be built entirely for \$30,000,000, by gentle-

men opposite, and 50,000,000 acres of land. It will be seen how fallacious were these calculations, and, in order to excuse themselves, hon. gentlemen opposite are in the habit of saying, as the hon. member for Glengarry said, that we rendered it necessary to proceed with the whole line by ordinary Government contracts. How, Sir, did we render it necessary? We executed some of the difficult preliminary portions of the road, the execution of which was eminently favourable to the letting of the line to future contractors. It was clear that, if we had railways penetrating into the prairie country it would be much more advantageous for people taking the contract for the balance of the road. Accordingly, after having had these preliminary sections, either completed or nearing completion, we issued in the spring of 1878 invitations to English capitalists and contractors to compete for the execution of the entire line upon terms even more favourable than those embraced in the original plan, because the Act of 1874 provided that there should be paid to the contractors \$10,000 in cash per mile, that 20,000 acres of land should be given for each mile of the road, the land, of course, subject to conditions of sale which were not imposed in the Act of 1872, and the contractors were then to reach the competing point by stating the amount in addition to these land and money payments for which they would demand a guarantee of four per cent. for twenty-five years. The Chief Engineer was absent in England during this season on leave of absence, but he had undertaken while in England to communicate with capitalists and contractors wherever they could be found and explain the plans and profiles sent to London, and such were directed, at any rate, to apply to Mr. Fleming for further information. Everything was done to secure favourable offers for the execution of the work under these terms. The result was, I believe, that only one tender was received, after I left office, but, as the hon. Minister said last Session, that one was of a character that could not be received, considered, or acted upon. I would like to know from the hon. gentleman how our action up to that time had in any way a prejudicial effect over the prospect of constructing the road for \$30,000,000 of money and 50,000,000 acres of land. All our efforts

had been in the direction of facilitating the letting of future contracts. The country had been thoroughly explored, the most ample information that could be obtained from all sources was printed in a separate volume and placed at the disposal of our officers in London, to be shown or given to everyone who desired to tender for the work. Such were the terms and conditions of the Act of 1874, which failed to produce any favourable response from any contractors or capitalists in England. And hon. gentlemen opposite felt, no doubt, as their action shows, that their plan had broken down from its own inherent weight, from its utter insufficiency to meet the emergency. When they came back to power, instead of utilising the preliminary sections we had built or almost finished, and obtaining those favourable terms in England they always said they could obtain, larger sections were immediately let as ordinary Government works, payable in money, for which the Government will have to borrow money, amerce the country in debt, and thereby greatly increase the taxation of the country. It was the intention of the late Administration, had the people permitted them again to return here as a Government, to have had all these matters in relation to tenders from England fully considered and submitted to Parliament, with their own views as to the course that should be pursued. Hon. gentlemen opposite have taken the responsibility of incurring a vast expenditure in the way of letting this work by ordinary contract. And the hon. member for Glengarry is not at all afraid of the approaching heavy burdens of taxation, not at all afraid of the ultimate consequences to the country. He blamed us very severely in his remarks for the comparatively little progress we made with the work, and eulogises the present Administration for their extreme hurry in proceeding with the work. That may be the view of the hon. gentlemen on that side of the House, but I can tell them it will not be the view of the country. It is a most serious thing under the present circumstances to proceed at any extravagant rate with the works, and it is a serious question for the consideration of Parliament, whether we are justified at the present time in proceeding at all or not. It is a question hon. gentlemen may treat lightly, but it is one of the greatest

possible importance to the future prosperity of Canada. I have been attacked and ridiculed because I said and repeatedly said that our true policy, as statesmen in Canada, was to make Canada a cheap country for the workingman to live in. It is still my opinion. The legislation of hon. gentlemen opposite has been in a contrary direction. They believe that the true policy of Canadians is to make Canada as dear a country as possible to live in. This is not merely a fact deducible from their argument, but it is clearly asserted in its absolute sense. They believe that, if commodities are dear, wages will be high also, and that it is an advantage to have everything at a high price, because there is an appearance of wealth, while the ultimate result is practically the same, plus the cost of the senseless proceeding. I believe, on the other hand, that the prosperity of the great mass of the people, labourer, farmer or mechanic, is insuperably connected with the maintenance of a reasonable Revenue Tariff, and with the maintenance of a reasonable rate, of taxation. And, if we are to borrow from \$10,000,000 to \$12,000,000 every year for prosecuting these works, we shall soon land ourselves in such a position that we will not be able to present the financial aspect that the country now presents or did present until very lately. We have also to consider in connection with the debt of the country the municipal and Provincial indebtedness. We find that almost every one of the Provinces, indeed every one east of Ontario, is at this moment clamouring for some addition of payments. We have the same story from the west; and Ontario, this year, has been obliged to avoid the expenditure of any further money for new Provincial railways in consequence of the rapid disappearance of the surplus, which, by careful financing, they had been able to husband for several years and apply to such works. We are called upon by the hon. gentleman to rejoice that the taxation of the people is to be increased; we are called upon to rejoice that the hon. the Minister of Public Works has had the spirit to build 100 miles of the road, and to arrange for the building of another 100 miles immediately, by an excessive expenditure, which, for years to come, must be met solely by taxation, as I contend, on the workingman and the farmer. Taking

the view I take of this question, I have no ground or reason to rejoice in any of these things. Parliament will be called upon to express its opinion of the course to be taken under what appears to me very gloomy prospective circumstances; and I fear that the hon. the Minister of Railways—the opinion of whose great energy I have no hesitation in endorsing, for he has tremendous energy, but it is an energy for mischief—will find that his energy has been expended upon these works and measures in a way that will end in disaster. I would rather he would show timidity than see him display the energy boasted by his followers. At all events, whatever they may do, hon. gentlemen on this side of the House will have great hesitation in sanctioning the extraordinary measures and projects for purposes which will involve this country in irredeemable debt. The hon. member for South Norfolk (Mr. Wallace) can look upon this expenditure with great calm, in view of the easy means which he says there are of liquidating the debt of the Government, and of the municipalities too, I suppose; but, as these visionary measures are not entertained by the people of this country, they will not be sanctioned. Such excessive measure will not be approved of merely on the faith of the successful working of a paper currency. It was amusing—excessively amusing—to hear the hon. the Minister of Public Works declare that the result of the measures he had taken, and everything else connected with the building of the railway, the necessary result would be to diminish the taxation of the people. This was the statement of the hon. gentleman, but these are measures which, without any remarks from me at all, everyone will feel it is utterly impossible to carry out successfully, to spend vast sums of money, and rely upon possible sales of land in the North-West to recoup the country. The hon. gentleman says that in the past there was extraordinary extravagance. A large expenditure was unavoidable in the progress of the work. Some forty or fifty thousand miles more or less were travelled and explored in searching for the best line; some twelve thousand were instrumentally surveyed. The expenditure of about \$4,000,000 was incurred in surveys in consequence of the bargain of 1872,

an extravagance that could not be controlled by any Government; but, so far as I was able, I endeavoured to control it. I had to choose the best and cheapest routes, and, in everything where expenditure of money was concerned we endeavoured to check its utter waste, although a great deal was wasted. I do not desire to refer to anything further now, for the reason that I prefer to discuss the question when the Estimates are before us and the projects of the Government are fully presented to the House, and when all the papers which are to be brought down have been laid before us.

MR. PLUMB: I rise at this moment simply to reply to what has fallen from the late Premier. I do not intend to enter upon a full discussion of the railway policy, until we have seen the papers which will be brought down by the hon. the Minister of Railways, and have heard his statements and explanations. There will be time enough then to discuss his connection with the Pacific Railway; and I have no doubt that, by dint of that energy which the hon. gentleman opposite justly gives him credit for, these reports and papers will be brought down in ample time to give full opportunity for examination and debate. I think it premature to enter upon a general discussion of the course that has been followed or the plans that have been adopted or foreshadowed by the Government. There will be time enough for that hereafter; but I venture to make some remarks at this moment because quotations have been made and inferences have been drawn by my hon. friend from Glengarry from a report of a Sub-Committee of the Public Accounts Committee, submitted at the close of the last Session to this House, with voluminous evidence therewith. The Sub-Committee was charged with an investigation of all matters connected with the construction of the Pacific Railway between Thunder Bay and Red River. I was Chairman of the Sub-Committee, which I venture to say accomplished a most important work, and faithfully executed a very laborious task amidst the pressure of the usual business of an active Session. I desire to call the attention of hon. members to that report and evidence, and to the evidence taken before a Committee of the Senate sitting at the same time and charged with similar duties, because they will bear me out fully, as I

believe, in what I am about to say. The address of my hon. friend from Glengarry (Mr. McLennan) in support of the motion which has given rise to this adjourned debate, by its lucid and logical arrangement, its calm tone, and above all by the importance of its subject, deserves and must receive the thoughtful consideration of this House and of the country. That hon. gentleman has an advantage which I do not possess. He has visited and made himself acquainted with the line of railway completed or under construction which will connect Lake Superior with Red River, and the section now under contract, which will extend it westward from the latter point. He has confined himself mainly to topics which are resultant from his own observation, and his opinions and conclusions, unbiassed, as all who know him know they must be, are entitled to great weight. I shall, however, direct myself more particularly to the remarks of the hon. member for Lambton, who has just preceded me, remarks which warrant me in taking a wider scope than I should have felt myself at liberty to take under other circumstances. I noted in the remarks of the hon. gentleman this afternoon, particularly in the concluding portions of them, a tone which I was unprepared to expect, after listening to the calm and temperate tone and the comparative fairness of his address on Wednesday of which they are the continuation. He chose to attack my hon. friends on the Treasury Benches with characteristic bitterness, and I shall not hesitate to reply fairly but fearlessly, and, I trust with Parliamentary courtesy and without personality. I ask the attention of the House to certain matters which, under the challenge thrown down by the hon. gentleman, I shall venture to discuss in view of the great national undertaking to which three successive Administrations have committed us, and the grave responsibility which, as representatives of the people, we are constantly called upon to assume in respect to it. In 1873-4, as my hon. friend has impressively stated, a great change in the political aspect of the country and of the House took place, through the events following the spring Session of 1873, culminating in a dissolution of the Parliament of 1872, and a General Election in January, 1874.

The Pacific Railway question was the chief instrumentality in effecting the revolution that characterised the election and brought the hon. gentleman who sits opposite to me an accession of power such as no man ever wielded before in the history of party government in this country. He was practically omnipotent in this House. His incisive criticisms of the policy of the previous Government, in respect to the Pacific Railway, and his loud promises of economy and reform had won confidence throughout the country, and he was looked upon, it appeared, by a majority of the people as a fitting man to be entrusted with framing and carrying through a successful policy for constructing the railway. Well, Sir, he entered upon that work in the Session of 1874, by bringing forward resolutions embodying his new scheme for the construction of the road. The resolutions were hurried through the House, as has been often mentioned, at a late hour of the night—hurried through by the power of that great and overbearing majority, notwithstanding the remonstrances of the small minority which opposed him. The hon. gentleman has frequently boasted that not a word or even a comma in his resolutions was changed during their passage through the House. He has led the public to believe that we accepted them *en bloc*, and, in his hustings speeches, prior to the late election, he often alleged that we did not even propose an amendment, and that, therefore, we acquiesced and were sharers in the responsibility of their adoption. I deny it. One important amendment at least was proposed, but it was scouted by the hon. gentleman and his triumphant and overbearing majority, and he assumed the entire and heavy responsibility of taking upon himself, as the head of his Department, the construction of the road as a Government work. The public had every reason, in accordance with the statements and criticisms of the hon. gentleman himself, to expect that he would not enter upon the construction of the work without the most careful consideration; that he would not commit himself to a policy in regard to it without weighing every argument, and, above all, that he should not adopt a line and put it under contract until he had, with the most deliberate, the most searching and the most critical

enquiry and inspection, ascertained that it was the best one. We remember that hon. gentleman's criticisms on the construction of the Intercolonial Railway; we remember his scathing denunciations of the defective state of the surveys of that Railway; we remember his language on that subject, some of which I think it would not be improper to quote. When condemning the premature letting of contracts on that Railway, he says:

“We know that though Mr. Fleming had been engaged four years in the survey of the Intercolonial Railway, before a single sod was turned on the line, the surveys were in such a state of incompleteness that it cost the country a great deal more than it need, and would cost more yet, besides giving rise to difficulties and heart-burnings among the contractors, who alleged they had been deceived with regard to the character of certain sections. I have their complaints before me every day. Every gentleman knows, who hears the motions made in this House from day to day for papers in connection with these contracts, that a grievous blunder was made at the beginning, and that it arose from the commencement of the work before a complete survey had been made.”

Having commented thus severely upon his predecessors, it would not have been surprising to learn that he intended to adopt a safer policy and to give out no contracts for railway construction until full surveys justified him in doing so. Now, on the 3rd of April, 1875, the hon. gentleman gave out two most important contracts for the construction of the Railway. They were awarded upon a bill specifying the kind and quantity of work to be performed and of material to be furnished. Many tenders were received, and the contracts were given out fairly, no doubt, but they both fell into the hands of Sifton, Ward and Company of Petrolia, ardent supporters and close friends of the hon. gentleman in his constituency of Lambton. Contract No. 13 covered excavation, grading and bridging from Fort William to Shebandowan, forty-five miles. Contract 14 was for the same kind of work, from Selkirk to Cross Lake, seventy-seven miles. We had every reason to believe that, having selected Fort William on the Kaministiquia and Selkirk on the Red River as the terminal points of the line, between Thunder Bay and Red River, the hon. gentleman had fully satisfied himself, after thorough examination and exhaustive survey, and after a careful consideration of the question in all its

bearings, that he was fully justified in committing himself to Fort William and Selkirk as starting points, that he could run between them the best, cheapest and most practicable line, and on entering upon the work of construction that he had sufficient trustworthy data upon which to compare tenders, base and award contracts, and state with approximate accuracy the cost of completing them. It was the initial step, and its importance to the country cannot well be over-estimated. Now, Sir, does it seem credible that no survey worth the name had been made of the line when tenders were asked for, and when contracts were entered into—so far was the hon. gentleman from having made the requisite examinations between Thunder Bay and Red River, and satisfying himself by close and accurate surveys that he was right in taking the initiative in the important work. Soon after the contract was made for extending the line from a certain point on the eastern portion towards the west, from a place called Sunshine Creek to English River, another contract was made; and, from the hon. gentleman's utterances we had reason to believe that he had not made these contracts without due examination; but we are told that when the contracts were entered into no surveys had been made at all. And yet, Sir, it is certain that no line for construction had then been finally located even up to the time that the contractors went up with their men to begin work. In one case they were kept waiting while the Government Engineers were deciding upon the line, and a claim of some \$3,000 or \$4,000 was allowed to one firm of contractors for the delay while the men were lying idle, and the engineers were fishing for the route for them to break ground upon. Contract No. 13 was for the construction of a line from Fort William to Lake Shebandowan. It was based, as were also the others, upon a bill of works, giving details of quantities and material. It was not discovered till the work was actually begun that no practicable line could be found to Lake Shebandowan. An arrangement was made to terminate the contract at Sunshine Creek, thirty-six miles from Fort William. Whatever had been done beyond that point was utter waste. Mr. Fleming says it was very little, but he naively states that none of

the contracts were let a minute too soon. In fact there was no knowledge of any part of the line embraced by either contract in an accurate sense, and no survey except of the most superficial character. Mr. Fleming says, in his evidence before the Committee, that "the truth is we did not know where we were going when we began to build the road." The same happy-go-lucky policy enacted the state of things on Contract No. 14. Mr. Carre, the Resident Engineer, was instructed, in 1874, to make a trial location of the route from Keewatin to Selkirk. "We ran through," he says, "using the men who packed the provisions when not moving camp; they chopped out a line which I ran with my eye and a pocket compass, and I never went back over it again." When Mr. Carre, who was working westward, got about ten miles beyond Cross Lake, towards Selkirk, he was asked for the plans and profiles for Contract No. 14, and went to Winnipeg and made the best plan he could. He had made this rough examination of but fourteen miles of the seventy-seven embraced in the contract, and upon this the Government saw fit to get up a bill of quantities for a line which no engineers had ever been over. They went there with the contractors after the work had been let. In respect to Contract 25, which started from Sunshine Creek on the abandoned Shebandowan route, and carried the line north-westerly by way of Lac des Mille Lacs and Port Savanne, a word may be said. The hon. gentleman used to discourse glibly of the advantages of connecting his two bits of railway by means of a route by way of Rainy Lake, Rainy River and the Lake of the Woods, a detour of some 400 miles from Port Savanne on Lac des Mille Lacs, which we are led to believe would be for many years his western termination of the Fort William line to Keewatin or Rat Portage, which he intended to be the eastern end of the line from Red River. This he called utilising the water-stretches. There was a descent of 400 feet between Port Savanne and Rainy Lake, and eight portages, some of them three or four miles long, lay between those points. My hon. friend stoutly asserted that this would prove a practicable route for traffic when a lock at Fort Frances on Rainy Lake and River had been con-

structed. The construction of the Fort Frances Lock was undertaken by day labour with about as much previous planning and knowledge as of the railway line, and very much the same sort of accurate estimate of the cost. A full record of the transactions connected with that memorable and unique bit of hydraulic engineering I think the House does not yet fully possess, but I intend, if possible, that they shall possess it before this Session ends. The House will learn, I think, that there were no settled plans whatever, and no working drawings or directions for building the lock, although a heavy outlay of public money was involved. The superintendence of the work was entrusted to a Government favourite, who was not an engineer. A well-known forest ranger of Ontario was engaged to direct the men who were to cut and convey to Fort Frances the timber necessary for the work. He started for Fort William in the spring of 1875, I think, and sailed from Sarnia by a steamer, on board of which he found a large gang of men from Alexandria in Glengarry, who had been employed to work under his direction. The Dawson Route had not been opened. There was great delay and difficulty in getting forward the men and supplies. When they arrived at Fort Frances, the Government Engineer was not there, and an Indian was employed to search for him, and the money paid him for his three weeks' hunt appears duly entered in the Public Accounts. Mr. Sutherland, the Superintendent, did not wait until the Engineer was trapped before he sent his ranger and the Glengarry axemen in search of timber. The ranger's instructions were simply "to get timber." A vast extent of wilderness had to be traversed in order to find it. Most of the Glengarry men proved useless and were discharged. They returned to Fort Frances, where the paymaster had no money to pay them with. There they remained for months, living in utter idleness at the Government's expense. About fifty thousand feet of timber was the grand result of a long summer's work, and if it has not been stolen or sold it still lies unused at Fort Frances. The Alexandria man who went up in charge of the Glengarry force was, it is said, the agent of a shopkeeper of that village, to whom the men were indebted, and who

took the ingenious but roundabout method of getting payment out of their wages at the Government expense. Towards the end of the season they were sent back from Fort Frances to Glengarry also at the Government charge. Contract 25 took up the line of the Railway from Sunshine Creek where Contract 13 came to an untimely end, on the failure to find a practicable route to Shebandowan. It would be reasonably supposed, inasmuch as the late Premier had repeatedly declared that the Fort Frances route should be utilised for many years to come, and that there was no intention during that time of building the intermediate line of railway, that he would content himself by extending the road westward to Port Savanne, the point of debarkation for the water-stretch route, but it was found that Contract 25 pushed the road to English River, forty miles beyond Port Savanne, for no possible purpose of traffic, involving thereby a premature, and temporarily a useless, expenditure of a very large sum of public money. The road terminated in the midst of an utter wilderness. In the specifications of that contract, as in all the others, quantities were stated, the contractors fixed prices, the cost at those prices was calculated, extended and summed up, and the total formed the amount of the bid. A comparison of tenders is made by this method, and it is contended it is the best one. So it may be, if quantities are ascertained with tolerable accuracy, and if the prices throughout a tender are consistent. But, Sir, under the direction and sanction of my hon. friend opposite, it has proved a most disastrous failure. The cost beyond the original amount of the contracts given out by him between Fort William and Selkirk has been, in every case, enormously large, ranging from 32 to 80 per cent. In every one of them, there has been an enormous increase beyond the specification in the quantities of certain kinds of work. In Contract 25 the specifications were for one million cubic yards of earth excavation and filling. It was taken at 33c. a yard. Nearly two million yards have been done. In another contract, eighty thousand yards of the same kind of earthwork, taken at the high price of 37c. a yard, is increased to one million six hundred and



fifty thousand yards. In that contract, also, solid rock excavation, of which the specifications called for three hundred thousand yards at \$2.75 per yard, is increased to five hundred and twenty-five thousand yards; and of loose rock at \$1.75 per yard, the quantity is increased from thirty thousand yards to sixty thousand. He had several hundred thousand feet of timber, which he took so low that he could not even deliver it. That contract must have been under discussion two or three years, and all the difficulties ought to have been understood, but that gentleman had not been long upon the ground when it was suddenly discovered that the trestle-work was of wood, and there was danger of fires. Engineers of any experience should have known that wooden trestle-work would take fire before Joseph Whitehead took possession of the work. There was a recommendation that the trestle-work should be abandoned, that the earth and rockwork should be increased; and we were surprised to find, when we came to investigate this contract, that whereas Mr. Rowan stated that there would be an increase of \$260,000, it was increased over \$900,000, and there was no modification of the cost of the earthwork, which had been so insignificant an item in the first bid; there was no alteration in the cost of the rockwork, which was increased from 300,000 to 550,000 yards. The estimates that were brought before us showed that in that contract there would be an increase of nearly a million dollars. Now, it is not that these matters are not liable to error. We do not contend that we can tie down these contracts, and that they are in all cases to be brought within the exact sum for which they were made. I never have contended that. I do not expect to find, even in the great care which I know has been taken by my hon. friend the present Minister of Railways, that his estimates may not be exceeded, nor shall I find any fault with him if they are. I find no fault with the late Minister of Public Works because his estimates are exceeded; but I want to make this point, that the hon. gentleman went before the public, in 1877, when he was engaged in holding political picnics during the election campaign and his constant theme wherever he went was the economy the skill with which he was constructing the Pacific Railway. He said that he had

succeeded in obtaining that economy which all Governments had aimed at, but which very few were able to achieve; that he had succeeded in securing it in building this Railway; that the 228 miles which he had under contract would be built in all respects as well as the Intercolonial Railway, except the bridging, which would be of timber, and that it would be built at about \$24,500 per mile, or at about one-half the cost of the Intercolonial Railway. He repeated that statement everywhere. I have a dozen different quotations showing how the hon. gentleman insisted upon this, and I will read one or two. On the 20th April, 1877, Mr. Mackenzie stated in the House of Commons that the cost of the 228½ miles to which I am referring would be as follows:—

Amount of the contracts.....	\$3,302 568
Engineering, \$1,500 a mile.....	346 750
228½ miles of steel rails.....	385,575
Rolling stock, \$2,000 a mile.....	457,000
Lands at Fort William and Red River.....	65,000
Station building.....	50,000
	<hr/>
	\$5,603,093
Average cost per mile.....	\$24,521

At Kingston, on the 27th June following, at a great Reform demonstration, he is reported to have said:

“I shall be able to show that, notwithstanding the difficulties we had to contend with west of Lake Superior, which were not met with in the construction of the Intercolonial, this Government, by its wise policy, by its proper system of letting contracts, by its judicious system of preparing beforehand elaborate surveys and examinations of the country, has succeeded in building and letting contracts for the road west of Lake Superior for less than one-half per mile of what the Intercolonial cost. (Cheers.) I think I shall be able to establish that, as far as the administration of the great public works of the country are concerned, we have succeeded beyond our expectations in realising that economy which every Government professes to observe and desires to secure, but which very few can reach, unless by devoting their whole energies to the task, and introducing essential reforms in the management of public works.”

If I had wished to be sarcastic, I could not have chosen words better designed to convey the sharpest and most effective sarcasm. At Colborne, on the 9th of July, 1877, we find in the *Globe* report that he used the following language:—

“We have 228 miles under contract between Thunder Bay and Red River; and, under our wise system of contracts, we are building those 228 miles of railway in a country where no

white inhabitant ever lived, where only the foot of the Indian and trapper ever trod, for a little less than one-half of what the late Government built the Intercolonial."

A few weeks later, at a great gathering of the faithful at Brampton, on September 19th, we are again told by him if, the *Globe's* report be correct and the famous yellow-covered handy volume of picnic speeches issued by the Reform Association does not misstate him :

"The cost of the Intercolonial, as nearly as may be, was \$18,000 per mile, and the 228 miles of the Pacific Railway, beginning at Thunder Bay, now under contract, we are building with as good a roadbed as the Intercolonial, only our bridges are wood instead of iron. The road cost us, under our wise and economical system of contracts, including ample allowances for rolling stock, \$24,535 per mile, or about one-half the cost of the Intercolonial."

On the 4th of May, 1877, in the House of Commons, while under a greater responsibility, and greater restraint than gentlemen sometimes are when they are addressing picnic and hustings meetings, he said, climbing down a little, as they say on the other side of the border, that :

"The 228 miles would be completed at an average cost of somewhere about \$25,000 a mile, not an excessive cost when we consider the character of the country traversed."

On the 3rd April, 1875, he moved that the Government be authorised to enter into a contract with the parties sending in the lowest available tender, for the construction of that portion of the Pacific Railway, extending from Rat Portage to Cross Lake, that is, the thirty-seven miles embraced in Section 15, of which I have already spoken. Even in 1875, he actually came before Parliament and proposed to take a contract for building that road when, I undertake to say, not even a line by axe and compass had been laid down upon it. He said :

"It so happened that a most elaborate survey had been made of this section. It would be impossible to have a more careful survey, a closer examination, or a more careful calculation than had been made on those thirty-seven miles. There had been no such survey on the Intercolonial."

We have now to refer to the evidence of Mr. Carre, the Division Engineer, taken before the Committee of the Commons last year, in regard to Sections 14 and 15 :

"We just ran through, using the men who packed the provisions on days when we were

not moving camp, to chop a line, which I ran with my eye and a pocket compass ; then, as soon as the transit men came along, they ran the transit level over it and plotted it ; then I put down the locat on line, and the location men ran that line. If the profile showed a practicable line, I was satisfied. I never went back over it again, so that I never saw the country after the line was located. When I got over Cross Lake and was about ten miles on Contract 14, I was asked for plans and profiles, which I was told had to be sent in, so I went out to Winnipeg and made the best plan I could."

In his evidence before the Committee of the House of Commons, Mr. Carre testified, in respect to the estimate of the cost of Section 15, that it had been prepared by himself and Mr. Rowan, at Winnipeg, and added :

"We had only two days to do it in so that it was totally impossible to make the re-calculations."

"Q. How did it happen you had only two days to prepare it, and under whose orders was it done? A. I do not know. Mr. Rowan just asked me for the information, the order came from the head office."

"Q. He, Mr. Rowan, told you it must be done immediately? A. Immediately, yes. Remember, I never gave the estimate as an accurate estimate of the cost. If I had been asked to estimate the actual cost of the work, I would have refused point blank to pretend to give it. No mortal man could give it on that survey."

That evidence shows that there had been no survey worth the name. Mr. Carre had simply run a line with his compass and axemen. He understood nothing of the quantities nor of the probable cost. Mr. Carre said distinctly that no human being could have given an estimate of the cost of the road with the bill he had before him, and he had to go back to Mr. Rowan to get him to make out a bill of works for this road. With that bill of works the hon. gentleman went with people of Canada and challenged to the support on the ground that, with either insufficient data, with that mere imaginary bill of quantities, he was building this road for \$24,000 a mile. I say that that gentleman, so far as he is concerned, stole a verdict from the people by representations which he knew could not be proved. I say it with great hesitation, and I say it with a grave sense of my responsibility in making that statement. I hope I am wrong. I do not say that these great excesses could have been avoided ; I do not say it was possible for the Government to have built those lines

within the limits of the contract, but I say that Mr. Fleming in his sworn statements says, with the warrant of the hon. gentleman opposite, that these were mere estimates put together for the purpose of asking for tenders, that they had no foundation, and were made out in the hon. gentleman's office in the Western Block. Further extracts from the report just referred to establish what I have said and are as follows. Mr. Fleming states :

"It (Section 13) was not thoroughly surveyed, it was done hurriedly, I represented to the Minister that it was simply a means of comparing tenders, it had no pretension to accuracy as to final cost of the line. When the work was let we did not know where we were going to. This contract (No. 13) was let before we had sufficient information to enable us to compute the total cost.

"Q. Who is the Engineer in charge of this work (Section 14)? Who located it? A. I cannot remember who made the original survey. There was a survey made by Mr. Jarvis years ago, perhaps in the year 1873. The more recent surveys were made by Mr. Rowan, and no one was more surprised than myself to find the quantities greatly exceeded. I was very much disappointed. I had hoped that in every case we had made sufficient allowance for everything, but it seems we had not in this case. As I said before, the whole thing was done hurriedly in the office at headquarters, simply on the profile furnished, and during the Session of Parliament when every one is worked at high pressure. It is not surprising that mistakes of that kind sometimes occur.

"Q. Are we to understand that the contracts which are now the subject of this enquiry were let before the survey was sufficiently advanced to allow you to take out accurate quantities? A. Yes."

Mr. Marcus Smith, Acting Chief Engineer during Mr. Fleming's absence in England, testified before the same Committee, as follows :—

"The line (Section 13) was not located for construction at the time of letting this contract, and they had to begin locating the line after the contractors were there. They had all their men on the ground for some weeks before the Engineer arrived to locate the line; they claimed compensation for the men's wages and board during that time."

Mr. Marcus Smith, in giving evidence in respect to claims made by contractors for delay awaiting the location of the line, was asked by a member of the Committee :

"Q. What is the approximate cost of the delays the contractors claim for? A. There were seven claims. Claim No. 1 was for fares of men from Sarnia to the Landing (Prince Arthur's Landing), and for boarding these men,

\$3,142. That claim was for boarding and wages of men while idle, and fares for men to supply places of those who left.

"Q. Did I understand that that claim arose in consequence of the contract being let before the survey was made and before it was ready to be let to the contractors? A. Yes. They proved that, because I awarded part of their claim, I went thoroughly into the matter and awarded them what I thought was due."

Under those circumstances the hon. gentleman went before the country and claimed that he was building this road at the rate of \$24,500 a mile. But we have another statement from the Chief Engineer, in which he says that those 228 miles will cost \$38,092 a mile, and I do not believe he has got at the cost yet. That is nearly the cost of the Intercolonial, and yet the bridges are wooden structures, and, owing to that circumstance, a large amount of money is temporarily saved, but the road falls far short of being a first-class one. We have in evidence that starting from Selkirk as a fixed point was a mistake of the most grievous character. It is in evidence that, if the line had been deflected a few miles south, \$360,000 would have been saved to the country on the section below Selkirk and Cross Lake alone. This is what Mr. Carre says in regard to it :—

"Q. Did you run a line south of the located line. A. I did.

"Q. Did you make any estimate of difference in cost between the two lines. A. Yes. A very rough estimate, I am speaking from memory now. I have the figures, but not with me, and would not like to say without them.

"Q. State it approximately? A. I think it was \$360,000, or thereabouts, in favour of the southern line. There was a difference in length, I believe, 3½ miles. It, the located line, was that much shorter than the other."

In his evidence before the House of Commons, Mr. Carre said it was for \$402,950, and the work has already cost \$722,134. I think that the reports made last year by both Committees will bear out much more than I have ventured to say on this occasion. I have not in the slightest degree overstated what those investigations conveyed, and what warnings they gave us. I have not overstated in the slightest degree the condition of the survey between the Red River and Kaministiquia. There was practically no survey at all, and yet we have paid enormous sums for engineering.

there. It is estimated at \$1,500 a mile, and has cost, I believe, far more. I can point the hon. gentleman to a railway more difficult of construction, more difficult to find a route for, which was built without any such expenditure. Mr. Mark Hopkins, Mr. Huntington, of Sacramento, and Mr. Stanford, late Governor of California, by their own energy and enterprise built a railroad from that city to the terminus of the Union Pacific at Ogden. They erected 400 miles of snowsheds to protect the line. They ascended and descended the wild precipices of the Sierra Nevada, far more formidable in altitude and engineering difficulty than the Cascades, and carried that line to completion during a period of the greatest inflation in the United States, by which the cost of construction was enormously enhanced. They were business men spending their own money and that of their friends, and, in view of what has been frequently said about the terrible difficulties in the way of construction, financially and physically, they did not occupy seven years and spend nearly six millions in looking for a route. They had a point to reach, and they kept their engineers in advance of the construction train as it made progress. I may state that the gentlemen built 1,309 miles of road; that they received, from time to time, aid to the amount of about twenty-eight millions of dollars, from the United States in Government bonds, sold fifty-five millions of their own, and have issued capital stock to the amount of nearly fifty-five millions more, which last, under the well-known process of watering, probably represents very little cash paid in. But, even on these enormously inflated figures, representing one hundred and thirty-seven millions of dollars, the yearly nett earnings enabled the company to pay yearly interest on all its bonded debt, on the United States bonds, and 8 per cent. yearly dividend on its capital stock. Lands of their land grant were selling up to 1876 at an average of \$5.27 an acre. I do not think the prospects for building our Railway so gloomy as hon. gentlemen opposite wish to make out, but, on the other hand, that there is every reason to believe that it will be carried to a triumphant conclusion and will not be the burden to the country that the hon. gentleman predicts. Until the hon. the

Minister of Railways and Canals makes his statement, we do not know what arrangements he has made or contemplates. For one, I have great confidence not only in his energy, but in his ability to complete the work that has been so hampered by the half-hearted policy of the last Government. Here before me is the report, which will be found to corroborate every statement I have made in regard to the hon. gentleman and his railway matters. It will also be found there that the contractor for Section 15, on which an enormous increase of cost has grown out of a radical change in the plan of construction, had scarcely arrived on the line in the autumn of 1877, when he proposed to Mr. Rowan, the Resident Engineer, to substitute earth and rock-work for trestle-work. Mr. Rowan made a report, an elaborate calculation, including a very ingenious compound-interest calculation, showing that the proposed change would involve an extra cost of about \$240,000. Mr. Fleming, who came to Canada for a brief visit in the following spring, recommended the Government to adopt the changed plan, which I think was a judicious one. But the question naturally suggests itself: why were not all the difficulties and advantages suggested by Mr. Rowan fully canvassed before the contract was made? Mr. Fleming, it appears, did not consult at all with Mr. Smith, the Acting Chief Engineer, during his stay. Mr. Smith states that he left Ottawa for Winnipeg several weeks after Mr. Fleming returned to England, and that although he had frequent discussions with the First Minister prior to his departure, Mr. Fleming's recommendation of the change, of which Mr. Smith knew nothing, was never mentioned by Mr. Mackenzie. That hon. gentleman fully corroborates this extraordinary statement; his sworn evidence will be found in the report of the House Committee of which he was a member. He says he never spoke of the matter at all to Mr. Smith, and he also stated, unequivocally, that, although he personally approved of the change, still, because it involved a large amount of extra expenditure, and in view of the nature and particulars of the contract, he was not prepared to recommend it to Council. The change, however, was made, and every engineer connected with it seems to have myster-

iously become impressed with the idea that every other engineer connected with it had received orders or permission from the proper authority to make it, and the work went forward, under that supposition it seems, and was half done when it was discovered that nobody had authorised, and nobody was responsible for, the change. And yet the plan, as modified, was a proper one, but the pros and cons should have been fairly discussed before the bill of works was prepared, upon which the contract was tendered for and awarded. The Government ought to have known that trestle-work would easily take fire, that it would soon decay, and that earth and rock were better and more durable, and in the end cheaper material for a first-class road bed, equal in nearly all respects to the Intercolonial. They ought also to have known that the large bill of timber required for the trestle-work could not be obtained nearer the line than the head waters of the Mississippi, and that the fulfilment of that part of the contract was ruinous to the contractor, if practicable at all. When it was recommended to make a charge for releasing the contractor from delivering timber which he had bid at ruinously low prices, and to substitute sixteen or seventeen hundred thousand yards of earth at thirty-seven cents, and two hundred and twenty-five thousand yards of rock at \$2.75, why was not the entire contract modified? I can understand that no special caution was necessary in accepting a bid for eighty thousand yards of earth-work at thirty-seven cents a yard, but if that was to be increased to sixteen hundred thousand yards it was quite another affair. Notwithstanding the startling figures I have given, I venture to say that the end is not yet, and the man is a bold or credulous one that boasts of the cheap construction of his railway until he has paid his last bill. The estimate last year is by no means a final one as to the four contracts. I do intend to cast the least reproach or suspicion upon the contractors; it is their business to make the best of their bargain, and that of our Ministers and their engineers, who are, I believe, not our masters, to see that they are carefully watched. I know that one great item of increased expenditure is a bottomless pit in Cross Lake, but why was not that discovered by the exhaustive

survey before the contract was given out? It was the discovery of the hurried location in the west, of the utter incompleteness of the surveys, and the statements made from time to time so confidently by my hon. friend from Lambton, in which he referred to their accuracy and exhaustiveness, that induced me to investigate this subject, and his reckless challenge gives me opportunity to bring before the House the results of my examination. It is no fault of mine if they leave him in an unpleasant position. The warnings which we now have, I think, should lead the House seriously to consider the system by which the contracts have been let. I am not an engineer, but I think my hon. friend (Sir Charles Tupper) will be able to show us that he has taken extra precautions with regard to those contracts, and that his intention is that there shall be no disappointment on the part of the country, in respect to his estimate of the cost of his part of the work. Until the facts are before us, I do not wish to criticise his policy, but I believe, from the energy and ability he possesses, that the great task which rests upon him will be pushed on as rapidly as possible, and so assist in the colonisation of the fertile lands west of the Red River. I have never been in the country, and cannot undertake to judge of the merits of rival routes. I have no doubt that the best steps will be taken to unite the uses of a colonisation road with one adapted for through traffic. Probably for years to come there will not be a pressure of such traffic, but so long as the line is built in the most convenient way for securing the local traffic, and for opening up the lands most convenient for settlement, we ought to be content. The true policy, in my opinion, is to build it with this view, as rapidly as is consistent with the position of the country, without adding to the burdens of taxation. It is useless to talk now of the proposition of the Government to build the road in ten years. That idea has been reiterated repeatedly, and unfairly presented in order to damage the present Government; it has not made an unfavourable impression on the country. Everybody knows that there was a salvo to that agreement by which it was understood that the road should not be pushed forward in any manner incommensurate with the power of the country to bear the

increased burdens. In 1872, when railroad speculation was at its height, when railway enterprises of the most difficult character and of unparalleled magnitude were being pushed forward, there was no great hazard in saying that this road could be built in ten years. The Central and Union Pacific was built in four or five years by private enterprise, and I do not think that the proposition to build the Canada Pacific in ten was so wild, chimerical and hazardous as my hon. friend wishes it to appear. For the present state of affairs, the late Government is entirely responsible. My hon. friend opposite, without any need for undue haste, made contracts without surveys, not knowing where his lines were to run. His engineers made up bills of works for specified quantities which were entirely hypothetical. He made contracts for these specified quantities, being advised that they were the only means of comparing tenders, and assumed them to be exact when he publicly announced the fallacious figures they produced as the real cost of the contracts, the cost of constructing the road. Here are the results as given to the Committees: Contract No. 13, contract price, \$294,265; cost reported to Committees, \$331,979. Contract No. 25, contract price, \$1,037,061; cost reported to Committees, \$1,384,645. Contract No. 14, contract price, \$402,950; cost reported to Committees, \$722,134. Contract No. 15, contract price, \$1,594,085; cost reported to Committees, \$2,524,999. Total amount at contract prices, of which Mr. Mackenzie made his boasts, \$3,328,361. Total cost as reported to Committees, \$5,081,010. Increase, \$1,752,649. And to this must be added the further increase estimated by Mr. Fleming, in his statement of last winter. Taking these figures into account, which were ascertainable and ought to have been known to the late Minister of Public Works, if he gave that attention to his duties which his friends claim for him, and which certainly everyone had a right to expect, it follows that either he did not know that his 228 miles of road had cost, steel rails included, about \$38,000 a mile, when he assured the public that it would only cost \$24,500, or he did know. Officers of his Railway Department certainly could not have been ignorant of it. He may take either alternative; he cannot be congratulated upon

either. With regard to my hon. friend the Minister of Railways, I have already stated that I will not undertake for a moment to criticise his work until he gives us the data on which to judge of it. But one transaction of my hon. friend is at any rate open for comment. His own utterances elsewhere have given me the right to refer to a transaction of his which stands in very striking contrast to one of the same nature of the hon. gentleman who preceded him. In 1875, the hon. member for Lambton purchased 50,000 tons of steel rails which would serve to lay 500 miles of road. There must have been an immediate prospect of constructing that extent of railway, else the purchase was speculative and unwarranted. He paid between fifty-four and fifty-five dollars a ton for those rails. My hon. friend now in charge of the Railway Department having decided to construct without delay the gap of 188 miles, between English River and Rat Portage, without which the entire outlay by his predecessor on that route was utterly useless, placed it under contract soon after he came into office. Finding that more than eleven thousand tons of the rails purchased by the hon. member for Lambton had been used without permission of the House, and I believe without sanction of law, for re-laying the Intercolonial Railway, and that 5,000 tons were in British Columbia, intending to let contracts on the Fraser River immediately, and to push the line rapidly on west of Red River, my hon. friend very wisely and properly made a purchase of 50,000 tons of steel rails last summer for those parts of the work under construction and about to be let. There is a strong contrast between the two transactions. In that by the late Minister, the prices fell, before the rails could be legitimately used, to a point which involved a loss of principal and interest of more than two millions of dollars. In the second, the price paid for them, delivered in Montreal, was £4 18s. 6d., or about \$23.84 a ton. Those rails could not now be purchased for less than \$40 or \$45 a ton. There is then a profit of a million of dollars or more on the transaction to place on the one side against the late Premier the hon. member for Lambton's loss of two millions on the other. I can therefore honestly com-

pliment my hon. friend the Minister of Railways, not upon misdirected energy, which the hon. gentleman opposite attributed to him, but upon energy expended in the right direction. It seems quite impossible for hon. gentlemen opposite to get through a speech on any subject without wandering into a discussion of the National Policy. My hon. friend the member for Lambton can speak clearly, forcibly, and to the point, and he had a right in dealing with the motion of the hon. member for G'engarry to vindicate his policy; but I do not exactly see that he need have found it necessary in doing so to drift off into questions that have been discussed over and over again in the House and elsewhere, and which have been dealt with by the newspapers *ad nauseam*. That hon. gentleman states we are impoverishing the country by large expenditures on the Pacific Railway and by our National Policy. We can stand a good deal of that sort of accusation and impoverishment; we can afford to await the results of both. The hon. member for West Durham, in speaking of the Supreme Court, chid us for expecting seed planted to-night to germinate in the morning. We claim the use of the same simile in regard to the National Policy, which is being carried out in accordance with our pledges to the people, who accepted our pledges and sent us here an immense majority to fulfil them. That policy is not a policy for a day or a week; its fruition cannot come until there is a relaxation of the depression, which has been universal, affecting Free-trade and Protection alike. It is childish to talk about what ought to have happened the day after the elections in 1878, and to ask why the new Government did not adopt an increased Tariff then and there, even before the old one had resigned; why bank stocks fell, and why there have been more failures this year than last. It is as absurd to expect immediate fruit from this policy as it would be to expect immediate results from the freshly-sown seed. If the National Policy is sound, the results will prove it. I do not wish Canada to be a cheap country to live in, in the sense hon. gentlemen opposite prefer to. I would rather see it a dear country, with plenty of money to buy the necessaries of life, and plenty of work

for the people. I did not object to a man having to pay in California \$50 for a pair of boots, when he earned \$10 or \$20 a day by his labour. Nothing is so depressing or injurious to the spirit of the people as to make a country too cheap to live in, for what is very cheap the proverb tell us is usually nasty. Low prices are a mockery to men who are out of work. Capital having been severely dis-couraged, it may take some time to draw it again into the channels of trade. My hon. friend from Chateauguay (Mr. Holton), with his large business experience, knows perfectly well that it took five years, from 1837 until 1842, for the restoration of the confidence of capitalists after the great crisis of that disastrous period. Where the causes of those panics, followed by depression of trade and general distrust, have been deep-seated, along time has been necessary for recovery. The depression of 1873 was brought about by causes greater in variety and more potent in influence than any other that this country has witnessed. It has been longer in duration and more searching and intense and general in its effects and consequences. I remember that the hon. gentleman from Centre Huron (Sir Richard J. Cartwright), in his two last Budget Speeches, in the jauntiest manner predicted a speedy return of prosperity, and such hopefulness surprised us. He claimed to have special indications of the good times coming, through the revenue returns. It perhaps suited his purpose thus to attempt to palliate his deficits and soften or prevent too close an examination and description of them. I do not desire and have not desired to criticise in any unpleasant sense, except so far as the hon. member for Lambton has provoked a discussion in which any hon. member may properly take part, the policy of the present Government in respect to the Pacific Railway, nor to deal with what I consider the most important question in connection with it, that of the Engineering Department. We have had under the late Government an enormous expenditure in that particular Department, entirely out of proportion with the apparent results. If I were an expert I have no doubt I should be able to point out large expenditures which have been utterly useless, costly lines run through impracti-

cable districts, and large amounts spent in consequence of a halting, half-hearted policy not at unity with itself. The late Government had one prominent member who did not wish the railway built at all, and another who did not wish it extended beyond the Rocky Mountains, while others gave the whole policy anything but a cordial and vigorous support. It was very easy to put off and pacify people by continuing the surveys, while not attempting a definite location, upon the ground that the best route had not been found. But no such idea impressed itself on the mind of the First Minister when he rushed blindly into the four contracts of which I have spoken. I think it was simply monstrous to commit the country absolutely to those two termini—Selkirk and Fort William—until it was known somewhat nearly what the practicability and economy of this direct line between them would be; also, what would be the result of continuing the line westward from Red River, with Selkirk as the starting point. So much money has been expended on the present line and at Fort William and Selkirk that, practically, we are bound to a position which I do not believe to be the most advantageous for the country or for the road, and yet it is impossible to fix the responsibility. The late First Minister evades the responsibility of the change of work on Section 15 and of making the four hasty and improvident contracts. He shelters himself, when it becomes necessary, behind the Chief Engineer, who, we have it in evidence, was in England during the greatest part of the time that hon. gentlemen were letting the work without survey, and that changes involving millions of unforeseen expenditure were made. Nobody knows by whose authority when tenders were advertised for. Section 15. Mr. Fleming was in Europe, and Mr. Marcus Smith was in the North-West. Mr. Smith telegraphed Mr. Mackenzie not to go on with the letting until he came to Ottawa, saying that he had important reasons for advising delay. Yet the mischief was done without heeding his advice. Hurriedly done; tenders were advertised for, for the work upon specifications involving the trestle-work, and that plan was utterly abandoned almost at the outset by the direction or acquiescence of parties unknown or undis-

covered; the contractor found that he could not execute it. I do not say he would not—I am not blaming him for taking for granted that the Government would not lead him to attempt what proved to be an impossibility. He had great difficulties to contend with. I want to fix the responsibility, both as to the particular case and as to the claim which the hon. gentleman put before the country as to his exhaustive surveys, and the economical precision of his contract, where it belongs, and we, on this side, well know where it belongs. I could give proof upon proof of the statements I have been making, and I defy any hon. member to controvert any single one of them. I have considered it my duty to discuss such questions as the present, often at considerable length, and I may have been regarded as prolix and tedious; but I have been actuated by a sense of duty, and have taken up the time of the House while in opposition with the approval and at the instance of the leader of my party. The address of the hon. member for Lambton was everywhere weak but where it was personal, and, even there, his attacks could be parried by those who knew the facts. I want the House to understand that there were no surveys of the road made in the time of the hon. gentleman, worthy of the name, between Red River and Selkirk, when the four contracts were let, and, that the Pacific Railway between Red River and the Kaministiquia will have cost, instead of \$24,500 a mile, as was vaunted by him, \$40,000 a mile; that during three years of the period when those works were going on, the Chief Engineer was absent, that he was never on the line of the road, and that hon. gentlemen opposite permitted him to go on year after year without doing their duty in fixing a compensation for his important work. It is no excuse for their leader to retort we are following their example. We inherited the position, every month that the settlement was delayed, aggravating the difficulty, which has arisen, because, for some occult reason, the late Government did not come at first to a decision to grapple with it as they should. It is childish to plead they could not fix a salary, because an adequate one would have exceeded that of Ministers up to 1873. Their salaries were raised



before they reached office, and I am not aware they ever remonstrated against their amount. I will not weary the House by further remarks; I crave its indulgence for any faults or omissions, and return it my sincere thanks for the kind attention with which I have been favoured. I notice the hon. member for West Durham, who is nothing if not critical, indulging in that bland and pleasant smile for which he is noted.

MR. BLAKE: The hon. gentleman asked pardon for any omissions; we can stand the omissions.

MR. PLUMB: I do not object to the pleasant smile or the charming witticism of the hon. gentleman, the indication of his amiable character and charming temper; but if it pleases him, it does not hurt me; I only hope that this question will be again discussed, when I know we shall have from the hon. the Minister of Railways a vindication of the Government policy, which has at heart the rapid settlement and development of the Great North-West, a policy which I hope will satisfy the country and prove as successful as it deserves to be.

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

### After Recess.

#### PRIVATE BILLS.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 49) To incorporate the Red River and Assiniboine Bridge Company.—(Mr. White, Cardwell.)

Bill (No. 50) To amend the Act to incorporate the Ontario and Pacific Junction Railway Company.—(Mr. Williams.)

Bill (No. 51) To amend the Act 36 Vic., cap. 118, intitled an Act to grant additional powers to the Quebec and Gulf Ports Steamship Company.—(Mr. McGreevy.)

Bill (No. 54) To incorporate the Canadian Telegraph Company.—(Mr. McCarthy.)

Bill (No. 55) To amend the Act 40 Vic., cap. 72, intitled an Act respecting the Beaver and Toronto Mutual Fire Insurance Company.—(Mr. McCarthy.)

### PACIFIC RAILWAY CONTRACTS.

#### DEBATE RESUMED.

House resumed the Debate on Mr. McLennan's motion.—[Vide p. 455]

MR. RYAN (Marquette): The hon. member for Glengarry (Mr. McLennan) who has moved this resolution, during the recess

MR. PLUMB.

visited Manitoba and the North-West Territories. I have reason to know that on more than one occasion the country since then has been benefitted by the experience of the hon. gentleman, as I am sure it will be in the future. I have reason to thank the hon. gentleman for the introduction of the resolution, for it has given rise to a debate, the progress of which will be watched with the utmost interest in the North-West. During the course of the debate one or two very important statements were elicited from the hon. the Minister of Railways. One was with reference to the construction of the railway bridge at Selkirk. So far as my constituents are concerned it is a matter of indifference to them whether the bridge of the Canadian Pacific Railway is constructed at Selkirk or Winnipeg. At whichever place it is constructed we will be able to do our business with equal facility. But if we are indifferent as to where the bridge is constructed we are not at all indifferent to other interests involved in the construction of the road; we are not at all indifferent to the speedy development of the country. The construction of a railway bridge at Selkirk would cost some \$400,000 or \$500,000, perhaps a little more or perhaps somewhat less. In a country so well adapted to the purposes of railroad construction as is Manitoba, this sum would pay for the construction of forty or fifty miles of railroad, as each mile of railroad opens up for agricultural settlement twenty-five or thirty miles on each side of the line, and the money which would be paid for the construction of a bridge at Selkirk would open up for the purpose of actual settlement and cultivation 500,000 or 600,000 acres of land. It is well known that the corporation of the city of Winnipeg proposes to erect a railway traffic bridge at that city. Indeed they have already let the contract, and I am informed the construction is being at present proceeded with. Under the circumstances it seems to me that it would be extremely inadvisable to proceed with the construction of the bridge at Selkirk. The wisest policy would be to use the bridge to be constructed by the corporation of Winnipeg for some years to come and spend the money saved in the construction of forty or fifty miles of railway. Another statement made by the hon. the Minister of

Railways, which I received with a great deal of pleasure, and which will be received with a great deal of pleasure in the North-West, had reference to the delay which has taken place in the construction of the first hundred miles west of Winnipeg. It was with the utmost satisfaction that I listened to the assurance that the delay was not occasioned by any default on the part of the Government Engineer, or of the Government; that the branch line was actually ready for construction, and that the delay arose from causes over which the hon. the Minister of Railways had no control. While on this subject, I may be permitted to confirm a statement of the hon. the Minister of Railways, that the contractor is now doing everything in his power. In fact, so soon as the ice across the Red River became strong enough to admit of the passage over it of a locomotive, a track was laid across the ice, and I believe I am justified in saying that from the first time that locomotive passed over the river up to the present time not one hour has been lost in pushing on the work as vigorously as possible. By the time the ice breaks in the spring, I have no doubt that the necessary material for the construction of the first 100 miles, will have been brought across the Red River. I was in hopes that during the period for reflection, the hon. member for Lambton (Mr. Mackenzie) has had during the last year, that he would have had occasion to change his opinions relative to the present route south of Lake Manitoba, and the route which his Government proposed to adopt. I am sorry to find that the hon. gentleman still adheres to the opinion that the route by the Narrows is the one best calculated to subserve the interests of the Dominion. But while the hon. gentleman argues from false premises he cannot hope to arrive at any other than an incorrect conclusion. The hon. gentleman starts out with the supposition that the road by the Narrows is some thirty miles shorter than the other route. I was very glad to learn from the statement of the hon. the Minister of Railways that the road south of the Narrows is only some twenty miles longer. Of course in such a great trans-continental road, such as this, the saving of distance is a very important consideration; but it occurs to me that it is only one of several considerations

which ought to guide the Government in locating the road, and not by any means the most important one. The hon. gentleman asserts, and perhaps with a certain measure of truth, that the grades on the route by the Narrows would be much better than those on the southern route. If this is true, of course it is a very important consideration and entitled to very great weight. But on the other hand, we must reflect that the very fact that the grades on the northern route are not at all excessive must suggest the fact, which is the case, that it is very low. The distance between Selkirk and Thackery—those are the two points at which the routes diverge and converge—is some 359 miles. I have never myself been over the northern route, but I have, along with the hon. member for Glengarry (Mr. McLennan), been over a very considerable portion of the route south of Lake Manitoba. With regard to that route, I can speak with positiveness. With regard to the other line, I cannot speak of my own knowledge, having only the reports of men well known to me, who worked on and along it, in addition to the ordinary public means of information, which were available to the hon. member for Lambton (Mr. Mackenzie) and his Government. But I am satisfied that I am in possession of information which justifies me when I say, that out of 350 miles which intervene between Selkirk and Thackery there are on the northern route not over 100 miles suitable for settlement. There are miles upon miles of swamp. At one place the poles of the Canadian Pacific Railway Telegraph are not on the ground at all; they are erected on platforms on floating moss, and in many places, where the poles have broken from the platforms, they have sunk to the level of the wires. This is not a solitary instance. There are several miles of the road of the same character. A great deal has been said about the Swan River Valley, and hon. gentlemen have been led to believe that the great amount of land there would compensate for the amount of bad land. The Swan River Valley is only some fifteen or twenty miles wide; it extends from the abandoned line northward, and empties into Swan Lake at a distance of forty or fifty miles. This is the only really first-class land on the northern track, if it be first class land.

While on the southern route, between the same points, Selkirk and Thackery, 359 miles apart, there are probably 300 miles of first class agricultural lands, having throughout the greater portion of that distance a breadth of eighty or a hundred miles. The hon. gentleman stated in the course of his remarks, that in the North-West the general direction of the fertile belt is from south-east to north-west. This statement is of itself true, but in the subject under discussion, it is somewhat calculated to mislead, because, although true in the abstract, if we examine the fertile belt or that portion of it which intervenes between Selkirk and Thackery, we will find that whereas the proposed route by the Narrows is partly in the northern verge of the fertile belt, and in places wholly north of the first-class lands, the route south of Lake Manitoba traverses for nearly its whole length the centre of the best agricultural lands in the North-West. The hon. member for Lambton (Mr. Mackenzie) also in advocating the superiority of the northern route, took it for granted that the cost of the construction of the northern route would be very much less. Now, I think the hon. gentleman, when he came to this conclusion, was reasoning from data which are altogether insufficient, and which do not at all sustain the conclusion he has come to. The country, as is well known, is very low and marshy, full of swamps—covered for miles with muskegs. We have had some experience in building a railroad in a marshy country. We know something of the difficulties experienced on Section 14. The difficulties were so much greater than was anticipated that the actual expenditure on the work exceeded by nearly 80 per cent., I think, the estimated expenditure. We have from the lips of the hon. gentleman, the leader of the Opposition, himself the fact that, in one instance, his engineers failed to ascertain the true depth, or made a miscalculation of the depth, of one of these swamps—instead of being five or six feet, there were seventeen or eighteen feet of moss—and this made a wonderful difference in the expenditure, so that if the construction on the northern route had been proceeded with, we should have had many such swamps—not one muskeg but dozens, perhaps scores of them. The hon. mem-

ber for Lambton (Mr. Mackenzie) has not presented any argument to justify him in coming to the conclusion as to what the relative expenditure on the northern and the southern routes would be. The position which the hon. gentleman occupies in this country is a very enviable one; his great talents and long experience make it a matter of great difficulty and render me very diffident, extremely diffident, in placing my statements in contradiction to the hon. gentleman's. But I will give hon. gentlemen one test by which to judge of the relative value of the two statements. It is quite well known that settlers going to the North-West look through the country and settle on the best lands. We may assume quite safely that if the great volume of emigration goes in a particular direction, the best lands are in that direction, and with a long link of railway going through it, land of equal fertility will be five times as valuable as it would be at a greater distance. In 1874 and 1875, the Government of the hon. member for Lambton fixed upon the northern route for the construction of the road; they actually constructed the Pacific Railway Telegraph along the northern route. It was manifest that the great Pacific Railway was to go past the Narrows of Lake Manitoba. Now hon. gentlemen can judge for themselves whether, if the quality of the land on the northern route had been as good as south of Lake Manitoba, the great volume of emigration would not have flown to the lands on the northern route. It is, however, a fact, while immigrants have passed by to the south of Lake Manitoba, taking up every valuable piece of land within Manitoba, and swarming across the western boundary, have proceeded 200 miles in advance of railway construction on the southern route. The northern route remains as it was an uncultivated wilderness, an uninhabited dreary waste of swamp. Gentlemen can easily satisfy themselves of the truth of this statement. We all know that wherever a piece of land in the North-West is taken up, whether purchased by script or taken under military warrant, or located as a homestead, a record is kept of it by the Department of the Interior, so that anyone can judge for himself of the relative value of the two routes by

enquiring at the office of the Surveyor-General. During the last Parliament I was continually advocating and urging upon the Government the necessity, in the interests of the Dominion, of changing the route; and I was continually met by the argument that I was interested, and that my advocacy was therefore liable to suspicion. I was told that my constituents resided south of Lake Manitoba, that all their property was there, and that therefore my testimony was unreliable. My representations were all received with this reply: "Oh, of course, you are in favour of deflecting the line, because your people are there and their property is there." The same style of argument may, perhaps, be used against me, when I advocate, as I do, a deflection of the line so as to touch the Portage. If this argument avail against myself, it is certainly not admissible in the case of the hon. member for Glengarry (Mr. McLennan), who, I believe, does not possess one square foot of land in the North-West, who went up to Manitoba, not for speculation, but merely for the purpose of acquiring more reliable and authentic information relative to the North-West than he could otherwise hope to obtain; and therefore when he urges a deviation from the present line, so as to touch the Portage, I think this House and the country will be disposed to attach a good deal of weight to his arguments. I thank him, and my constituents thank him, for the plea he has entered on their behalf. In relation to this subject, the hon. the Minister of Railways has promised that he will, during the course of the ensuing spring, visit Manitoba. We have every confidence in him and in the Government of which he is such a distinguished member, who have given us such proofs of their desire to be paternal to the new settlers in the North-West, and to be protective to them, no less than to every other class of the community; and I am quite satisfied to let the matter rest in their hands. When he comes up he will be able to judge for himself; and we will be quite satisfied to abide by his decision in relation to the deflection of the line, without pressing our claims any further. I think this debate will be a benefit to the public; it will tend to attract attention to Manitoba and the North-West. The discussion in this House will also tend to conduce to the

interests of the Dominion; the Government engineers will be alive to the fact that their conduct is closely watched, and they will be influenced in a great degree. If their conduct is thus subjected to scrutiny in this House, it will have a tendency to make them more careful and energetic. Gentlemen who follow the hon. member for Lambton are in the habit of playing two tunes. They do not speak in the same strain in the West as in the older Provinces. In the Eastern Provinces his followers deprecate the laying out of money in the North-West; they think moneys ought not to be expended in the construction of railroads in the North-West; but when any one of those followers gets out into the prairie Province his utterances are changed; there the hon. gentleman's followers are as great advocates of such expenditure as the followers of the hon. gentlemen on the Treasury Benches. After the speech from the hon. gentleman from Lambton we know what we are to expect. He deprecates the construction of the road altogether; he believes that the country is unable to sustain the expenditure. It is well that we in the North-West know that. He owes nothing at all but inactivity. He condemns the energy of the Government in placing these 200 miles west of Winnipeg under construction. The hon. gentleman and his followers have no hope for the country; they do not believe that the country is able to build that road. On the other side, the Government not only offer a vigorous railway policy, but they give us the best guarantee of their intention to carry out that policy by placing 200 miles under construction. I am satisfied that the followers of the hon. member for Lambton in the North-West will read his speech with regret, because I believe when it is fully circulated and understood, there will not be found any in Manitoba to follow that hon. gentleman, with the exception of those so blinded by party prejudice as to prefer the welfare of the party to the welfare of the country. But there will be many who have hitherto honestly and faithfully followed the hon. gentleman who will feel it to be their duty, not only to their Province, but to the Dominion as well, to abandon the party led by him and rally to the support of the hon. gentlemen who now occupy the Treasury Benches.

Mr. DAWSON: The House and the country should feel indebted to the hon. member for Glengarry for drawing attention thus early in the Session to the condition of affairs on the Pacific Railway. The hon. the Minister of Railways has defended the management with his wonted ability, and it is quite natural and proper that he should say something in favour of his officers. The late Premier, too, has just said of his former subordinate, the Chief Engineer, that he had distinguished himself as a writer; but it sometimes happens that great authors like great orators are not very good practical men. I have by me an evidence of the Chief Engineer's pre eminent ability as an author, in a paper which is given in his report on the railways, as having been read in England, no less before the Royal Canadian Institute. It is not particularly luminous as to facts, nor in some cases very accurate, but as a literary effort it is truly wonderful, and, as a sort of historical romance, it is a fitting and pleasing accompaniment to the ideal quantities and figures with which the Chief Engineer is in the habit of embellishing his reports. In his work of last year, a work which, to say the least, is of a highly artistic character, the distinguished author permits himself to indulge in a tilt at the railways of Ontario, and of these he says that they have cost nearly \$180,000,000, and with characteristic keenness of intellectual vision in unravelling a complicated question, observes that "if they could have been constructed for one-half the cost the other half of this enormous sum, \$90,000,000, may be assumed to be a wholly unnecessary outlay." It required a Chief Engineer and an author to discover this startling fact, but having found it out, in order that Ontario and all other countries may learn to avoid such unnecessary outlays in the future, he is prepared with a remedy, to which I shall now draw the attention of hon. members. I have here the Chief Engineer's report of 1878, in which he has laid down what he calls "A comprehensive scheme of Railways," and according to which he says "the Government should control not the location of the trunk lines only, but all lines," and here is a drawing illustrative of his scheme. You will see, Mr. Speaker, that this picture is not

Mr. RYAN.

exactly like anything hitherto observed in the heavens above or on the earth beneath. In some parts, it looks like a skeleton with the vertebrae clearly visible and in others it has wings extending to the remotest parts of the continent. It has a tail, or something of that sort, pointing eastward to the undefined regions of Labrador, for which latter country there appears not to have been room enough on the map. It is certainly a most wonderful conception, and it may be that it is the full-fledged outgrowth of a former bantling, known as "territorial roads," but it is not the harmless thing that it may, at first sight, be supposed to be, for it represents ten thousand miles of railway; and the scheme, mild and visionary as it is, has been propounded by the man who controls our Pacific Railway. It is not indeed a matter to be laughed at, for the country is at this moment expending millions at the dictum of the Chief Engineer on projects scarcely less visionary than this professedly ideal one of a continental system of railways. The cost of surveys has been frightful, very much greater, comparatively speaking, than that of the railways of Ontario. They have cost four millions, and the Chief Engineer cannot fail to perceive that "if they could have been performed for one-half the cost, this enormous sum of \$2,000,000 may be assumed to be a wholly unnecessary outlay." It is needless to say that these surveys could not have been made for a very much less sum than they have cost. The great error from the very outset was in the clumsiness and costliness of the organisation. I have myself seen as many as fifty or sixty men attached to a single surveying party in the woods, and of course it required about as many more to carry in supplies and outfit for them, and all this to accomplish what could have been done, and in former times used to be done, with a party of ten or twelve. These little armies were spread over the continent, and the surveys were continued for years, while the country bled freely for the cost, but what was the result? Why, that no later than last year the Chief Engineer issued a report accompanied by one of those maps so characteristic of the eccentricity of genius all over which were written index figures pointing to the words "nothing reliable known." Four millions

of dollars was surely a large sum to pay for mere surveys, which, according to the Chief Engineer's own statement, seem to have resulted very generally in "nothing reliable" becoming known by their means. The Geological Survey has shown what may be accomplished by small parties. By its means a knowledge of vast areas has been obtained at a very moderate outlay, and although such surveys as its very efficient and industrious officers make are not sufficiently precise for the location of a railway nor intended to be so, they nevertheless give a fair idea of the topography of a country and are invaluable as guides in the selection of high-ways, and this is about all that can be said of the Pacific Railway Surveys which have cost vastly more. In speaking of surveys, I have had in view more particularly those which have been made in the country lying between Lake Superior and the prairies. In that section they were most extravagantly managed, and the same individual who had them in charge, notwithstanding the very marked absence of intelligence which characterised his operations then, was entrusted with the laying out and supervision of the works on sections 14 and 15. On the first of which the expenditure has already exceeded the estimates by eighty per cent., while on section 15 his lamentable blundering has occasioned an outlay of a \$1,000,000 over the estimate. He has been pouring material which represents, in part, the resources and life-blood of the country into the bottomless pit of Cross Lake, a place which could easily have been avoided. I have just come on one of this gentleman's reports, and shall read an extract which will enable the House to judge of the intelligence which controls the expenditure of millions at Kewadin :

"The Winnipeg River, at the outlet of the Lake of the Woods, where we cross it, is a stream of considerable magnitude, draining an area of about ten thousand square miles, an area which is largely increased below the point where we cross it."

At the time at which the report from which this extract is taken was written, the country had been well mapped out, and any person of ordinary intelligence could have seen that at Rat Portage the Winnipeg carried the drainage of an area of up-

wards of thirty thousand square miles, but he says that the drainage area, of which he gives an estimate, is largely increased "below" the point at which he crosses it at (the Winnipeg), but how the drainage area below could return to increase the drainage area above he does not explain. His chief would hardly have committed a blunder of this kind, but then he is not like his chief, an author. He cannot vie with him in writing, but he can fully match him in the confusion, worse confounded, which he has brought, and still brings on an enterprise which demands both natural intelligence and educated skill on the part of the employés entrusted with its management. The system is bad, radically bad, and I know of no better remedy than that which I suggested last year, which is that some amendment should be made in the existing law, so as to provide for the appointment of a board of engineers, to whom all reports and matters connected with this vast undertaking could be referred. The cost of a single mile of railway would pay the expense of such a board for years. As matters now stand, the reports of the field engineers are suppressed, unless in harmony with the preconceived notions of the chief, and lines are laid out between given points with but little reference to the character of the intervening country. So that, as in section 15, lakes and swamps have to be filled, and rock ridges cut through, where a little care in the selection of the line and a little deviation from a given course would have saved half the cost. There are able engineers in the service, but their voices cannot be heard. Even the reports and maps of a man of such eminence in his profession as Mr. Marcus Smith, are suppressed; and why should this be so, seeing that the country has a right to the information for which it has paid so dearly. The country would have confidence in the reports of a practical man like Mr. Smith; it has little or none in the costly volume of the great author. The late Premier has just referred to the water stretches between Thunder Bay and the Lake of the Woods. Had he persevered in his first scheme of running the railroad from Thunder Bay to the head of Rainy Lake, at Sturgeon Falls, taking, as a temporary expedient, advant-

age of the water communication intermediate between that point and the north-west angle of the Lake of the Woods, and adopting the line from the latter place to Fort Garry, Section 15 and Section B, which, taken together, will cost \$10,000,000, would have been entirely avoided, and the ultimate all-rail line would have been shortened by some thirty or forty miles. Had he, I say, persevered in this wise course, we would long since have been in communication with Manitoba through our own territory; but the influence to which my hon. friend from Glengarry has alluded, as being a power behind the throne, was in operation then as now, and the hon. gentleman's better judgment gave way before it, to the great loss of the country. It is well known that engineers have been traduced and dismissed because they held views in regard to the proper direction of the railway in certain sections different from those of the Chief Engineer, and under such a system how can independent reports be looked for? However earnest Ministers may be in their desire to promote the best interests of the country, in regard to this great national enterprise, and I believe that in the past as in the present, without regard to party lines, they are, and have been, very earnest, their best efforts will be thwarted if they have not the proper machinery to work with. If they are to allow a man of iron will, who would change the whole direction of a railway out of jealousy of a rival, to have his own way, and spend thousands upon thousands of dollars on impracticable crotchets, such as territorial roads, continental schemes of railway, and so forth, all the millions that Finance Ministers can borrow in England, all the resources of the country will fail to carry this great enterprise to a successful conclusion.

MR. McLENNAN: I beg to say a word or two before the motion is put. In the first place I am obliged to my hon. friend, the Minister of Railways, for the courteous manner in which he has treated myself, and the judicious manner of treating the subject that I brought before the House. I did it because I thought that the present was a good time to discuss some features in connection with this undertaking, and that the House would be better prepared for the hon.

Minister's statement when it comes down. I had the belief, and I hope it was not too presumptuous, that some suggestion that I might make myself, or that might be made by some other hon. member of the House, would lead to consideration of the question that might affect that statement in some small measure. I hope so still, and although I do not hold to my opinions without change, I claim the privilege of thinking that this discussion has not been useless. I am aware that in moving as I have done on this question—and it has been called to my mind repeatedly—that I placed myself between two fires. I hope to come out scathless; but with reference to some remarks made by the hon. member for Lambton (Mr. Mackenzie) I have a little to say, and in the first place about an almost personal matter. The hon. member for Lambton rather blames me because I undertook to discuss subjects that became interesting to this House at a time when I was not a member of it. Well, that was my misfortune, and it was my misfortune in common with a great number of the inhabitants of this country. There are only 206 members in this House, and we are all honourable and wise members, 205 besides yourself, Mr. Speaker, who must be the very pink of wisdom, listening as you do, hour by hour and day after day, to all the wisdom of both sides of this House. But all the people outside this House are not asleep during this discussion, and they were not asleep during the time it was my misfortune not to be in this House. If we had all been asleep I think the course of the hon. member for Lambton gave us a rude awakening: in fact we were brought very wide awake by the policy that hon. gentleman pursued. I do not know but I am indebted to him for the fact of being in this House. Like a great many other men in the country, I came to the conclusion that if I and others who agreed with me did not come to this House, we might, perhaps go, as one may say, to the dogs. But having come to this House, I considered it my duty to keep my eyes and ears open. Now I rather blame the hon. member for Lambton, because I am afraid he must have been asleep two days ago when I made my statement to this House. I like to be precise in quoting the words of the hon. member, for Lambton because I have dis-

covered that he is in the habit of never admitting anything and of never retracting anything, of never admitting that he has been mistaken. The hon. gentleman charged me with saying :

“ He rejoiced that the Ministry had placed 200 miles of road in the North-West under contract, and that he had displayed great energy in plunging this country into debt.”

The hon. member for Lambton states that it is of the greatest possible importance to consider the expenditure in this connection, that may, if it is perserved in, lead the country to ruin. Now, if that hon. gentleman had not been in the somnolent condition in which he assumes I was in 1872, 1874 and 1875, he would have discovered that that was the very ground on which I brought forward this motion, because I thought the expenditure in progress ought to be subjected to scrutiny and control in a greater degree than we had seen exercised. In the rapid reference I made to the early history of this undertaking, I mentioned the fact that the policy of the Government which first took up this subject was thwarted by the hon. gentlemen opposite. The hon. member for Lambton controverts this statement. He says they did not oppose that policy. Well, if they assisted that policy, if they desired to see the road built by a subsidy of money and of lands, it must have been during the time that we were all asleep, for that is not the impression which was conveyed to the country. The hon. member further states that when his Government assumed power, it was obliged to take up the work in the condition left by his predecessor, and to keep the promise that he had made to the country. The general impression is that at the time these hon. gentlemen took charge, they adopted a new policy. Instead of a policy to build the road by a subsidy, which, I think, we have all discovered would have been an economical one, they adopted the policy of carrying on the work by a continuous expenditure of public money, and without the measure and without the control which would have existed in carrying out the undertaking as first proposed. He says further, in that connection, that the present Government, upon resuming power, instead of utilising their accomplished work, immediately let extensive additional works by ordinary contracts. Well, if the object of

the present Administration was to get into the Lake of the Woods, to get into those water-stretches, into that mud and water of which we have heard so much, they might have utilised the work accomplished by the hon. member for Lambton. I cannot conceive any other place to which that “ accomplished work ” would have led them. Then the hon. gentleman used another term, “ they let additional works by ordinary contracts.” As I am not a contractor, I do not know what an “ ordinary contract ” means, if it has any specific meaning. If the method of contracts which we have been discussing here is an “ ordinary ” one, it seems to be one that leads to very extraordinary expenditure, and it is a method that was inaugurated, as far as I understand, by the hon. gentleman opposite ; and, if it has those faults, I think that is a good reason why his successors should depart from it. One other expression the hon. member for Lambton used was that “ they were committed to a bargain ” to have the survey completed. Well, I do not know what that means. I do not understand what bargain they were committed to for the completion of the road or the survey. As I understand the matter, the bargain to complete the road was made by themselves—a bargain to complete it by 1890. I think this House will absolve the Government from completing any bargain, if there is reason to suppose it will involve the country in ruin. The hon. gentleman referred to the contract for 125 miles in British Columbia, and he had a perfect right to do so ; but I said nothing about that, and will not do so now as I do not wish to prolong the discussion ; I have merely made these remarks to justify myself for bringing the question before the House, and, as I said before, I hope the debate may not be entirely useless.

Motion agreed to.

SUPREME AND EXCHEQUER COURTS  
ACT AMENDMENT BILL.—[BILL 37.]

(Mr. McCarthy.)

SECOND READING.

Bill read the second time.

CRIMINAL LAW AMENDMENT BILL  
[BILL 38.]

(Mr. McCarthy.)

SECOND READING.

Order for second reading read.

MR. MILLS : I think the Bill is not



within our jurisdiction. We have no doubt legislated on the subject before. The Bill refers to the 12th section of the Criminal Procedure Act, and any hon. gentleman who examines it will see that that section does not at all relate to any matter of procedure. It gives a particular Court criminal jurisdiction in certain cases and denies it to the others. It is obvious, that, according to the British North America Act, by passing the Bill, we would interfere with the power of Local Legislatures to constitute Courts. If saying in what Court a particular class of offences may be dealt with is not giving to that Court jurisdiction, I do not know what the word means. I think, when you say it shall be the duty of a Court to try a specified class of offences, or that it shall have power to adjudicate in certain civil matters named, you are dealing not with the question of procedure but with the question of jurisdiction. When the Criminal Procedure Act, which the hon. gentleman undertakes to amend, was before the House, it was almost impossible to obtain a serious discussion on any question relating to jurisdiction. The older members who sat in the old Parliament of Canada, when Parliamentary omnipotence was recognised, were unfitted by their training to consider questions of jurisdiction; and others will remember that, in our first Parliament after federation, they could not be induced to look at such questions. Since then, we have had those subjects before us again and again. They have been before the Courts, and have naturally attracted, to a larger extent, the serious attention of Parliament, and when now we find we have made a mistake on a subject of this kind, instead of perpetuating it, we ought to retrace our steps and get back to a more tenable position. The hon. member's Bill no more deals with the question of procedure than if it named any other class of offences than the one mentioned. Once you admit that this House has the right to interfere with those Courts, there is no point at which you can draw the line. The 92nd section of the British North America Act provides that the Local Legislatures shall have exclusive jurisdiction in the administration of justice, "including the constitution, maintenance and organisation of Provincial Courts, both of civil and criminal jurisdiction, and

including procedure in civil matters in those Courts." Although the hon. gentleman does not deal in this Bill with the whole category of crimes, he does deal with two classes of offences, and says that a particular Court shall have jurisdiction over them. This is a measure that the House ought not to pass. I do not contend that his proposition is not a reasonable one, or that the course he recommends would not improve the law. Upon the merits of the Bill I express no opinion. What I do say is that the subject is wholly beyond the purview of Parliament. This House ought not to deal with a subject which is clearly within the province of another legislative body; it ought to respect the Constitution and keep within its powers.

MR. McCARTHY: Before answering the observations of my hon. friend from Bothwell (Mr. Mills), I ought to mention one matter which I had forgotten. The instance that induced me to bring in this Bill was the trial of a homicide in the city of London, which gentlemen from the West are familiar with. It has been stated that this Bill reflected unfairly and injuriously on the learned Judge before whom the prisoner was tried, and on the officers conducting the prosecution. I ought to state that although my attention was directed to this subject by that trial, I did not intend to pass any opinion in regard to the manner in which it was conducted. I have no reason to suppose that the trial was not conducted properly, or that the learned Judge and the prosecuting officers did not properly conduct it. So far as I know, they did their part as well as it ought and could be done. It is only fair that I should make this explanation, since it has been represented to me that perhaps this legislation was in consequence of a mistrial having taken place before that learned Judge. My reasons for introducing the Bill may be briefly stated. While County Court Judges are limited in their jurisdiction to matters of a trivial amount, not exceeding \$400, the Courts of Quarter Session, which are presided over by the same County Court Judges, have almost as great power and wide jurisdiction as the Superior Courts. I think that was not so originally, and that from time to time that jurisdiction has been given them, and it is quite time, wherever the power lies, that that juris-

diction should be taken from them. With regard to the observation of my hon. friend (Mr. Mills) on the constitutional question of jurisdiction, that he thought this House had not the power that, by enacting the 12th Section of the Criminal Procedure Law, of 1869, it assumed it had, and that we ought not to go on repeating a wrong which, in his judgment, we had enacted in 1869—I do not think the words he read are quite so clear as he thinks. The 27th sub-section of the 91st clause of the British North America Act does not speak of jurisdiction in words, though very possibly—I do not think necessarily—that may be its meaning. We must look too at Section 92, sub-section 14. Now we must read them together, with this further qualification, that, where the jurisdiction is not exclusively conferred on the Local Legislature, we have it in this Parliament. Certain powers are conferred on the Local Houses, and for the purpose of explanation, these powers are defined in the Act; but where there is any difference between powers, the latter part of the 91st clause of the British North America Act says that the clauses conferring the jurisdiction on the Local Legislatures shall give way, and if there is no clause expressly giving powers to those Local Legislatures, the power lies with this Parliament. The Provincial Legislatures may constitute a Court and frame rules for it, but that may not prevent Parliament here from saying such and such offences shall be tried in it. We have used such jurisdiction without question. No Local Legislature has ever pretended that it has power to regulate the constitution of the Criminal Courts, in the way the member for Bothwell (Mr. Mills) claims.

MR. MILLS: Certainly.

MR. MCCARTHY: I do not know an instance of it. They have never legislated in that direction. As we, by the Act of 1869, assumed that power, the Local Houses have not questioned it or assumed to legislate in an opposite direction. I do not think we should be the first to assume that we have exercised certain powers unconstitutionally for ten years, as the hon. member for Bothwell imagines. I am not making any innovation or asking the House to enact anything new, but simply amending a power we have hitherto exercised—constitutionally,

as I venture to think. When the Bill is in Committee I propose to add one or two other clauses—one suggested by the County Attorney for Oxford, which I think good; it is that perjury, now only triable at the Superior Courts, may be tried at the Quarter Sessions, instead of sometimes keeping the accused six months awaiting trial. A document has been handed me, drawing my attention to the fact that, while an ordinary magistrate's warrant, backed, may be executed in any Province, the rule does not apply to a Bench warrant, which can only be operative within the Province in which the Court issuing it exists. I think we should make a Bench warrant run and be enforceable in any Province in the Dominion.

MR. McDONALD (Pictou): The suggestion of the hon. member for Bothwell (Mr. Mills) has only been mentioned to me since I entered the House this evening. The difficulty is not, I think, removed by the remarks of the hon. member for Simcoe (Mr. McCarthy), that we have been doing for ten years what is now objected to. If we were wrong in 1869, certainly continuing in the wrong track for ten years will not help us. Therefore we come back to the simple question raised by the hon. member for Bothwell; whether, under the British North America Act, the Local or this Legislature has the power of indicating what Courts shall be the criminal and what the civil tribunals. Now, I do not think there is any difficulty, either in the section or sub-section relating to this question, in sections 91 and 92. They are both very clear and distinct as I read them. The clause in section 92, with reference to the powers of the Local Legislature is:

“The Administration of Justice in the Province, including the constitution, maintenance and organisation of Provincial Courts, both of civil and of criminal jurisdiction and including procedure in civil matters in those Courts.”

It appears to me the solution of the difficulty, if difficulty there be, must be found in the meaning of the word “constitution,” in the 92nd and 93rd clauses of the Act. Does the word “constitution” go the length to which the hon. member for Simcoe must carry it, or bear only the limited construction put upon it by the hon. member for Bothwell? The hon. mem-

ber for Simcoe says that "constitution" in this case means not only the appointment of the Judges and the creation of the Court, but the determination of the limits of its jurisdiction, and also the procedure therein. In criminal matters it has also the constituting of the Court, but the procedure rests entirely with this Parliament. Does the word "constitution" there so far trench upon the word "procedure" as to limit this Parliament in its power of directing what Court, when formed by the Local Legislature, shall try criminal cases. While entertaining great respect for the opinions of the hon. gentleman opposite (Mr. Mills) and while not prepared to express a strong positive conviction on the question, my own impression is that the word "constitution" bears, and ought to bear, in view of the policy of the law, the construction which the hon. member for Simcoe puts upon it. I express this opinion with some hesitation, the subject having been brought to my attention only this moment. I hope it will be considered the wisest course to let the Bill be read a second time, as before it comes to Committee we shall have an opportunity of considering more fully the subject, with, I hope, the assistance of those minds in the House capable of dealing with the question.

MR. MILLS: I think the word "procedure" is used in the British North America Act upon a well-understood meaning. We use it with reference to certain departments of law with regard to the means in which cases shall be brought before the Criminal Courts. Procedure does not include in any case the question of jurisdiction, which is wholly within the purview of the Local Legislature.

MR. McDONALD (Pictou): My hon. friend may not understand me. My idea is that the appointment of Judges, under the authority of Acts passed by the Local Legislatures, constitutes the Court, and that the word "procedure" includes criminal jurisdiction.

MR. MILLS: I cannot understand how any Court can be constituted unless it has a well-defined jurisdiction given it. Recently the Ontario Legislature dealt with this subject. Instead of having several Courts, it proposed to consolidate one Court, and to say it shall be formed into certain divisions similar to those of the High Court or Justice in England. It

MR. McDONALD.

also proposed to say what class of cases should be tried in such division. Among other things dealt with is the constituting a Court for the trial of crime. It proposed to say in what division of this Court or in what other Court crime shall be tried. If it did not say that, it would not constitute a Criminal Court at all. The very moment we undertake to say that a particular Court shall be vested with the power to try particular classes of offences, we are constituting a Court for that purpose. I disagree with the hon. member for Simcoe when he says there may be powers relating to the constitution of the Courts, or the administration of justice, that are not distributed. I hold that the two sub-sections of the British North America Act, taken together, deal with the whole subject of the administration of justice. The subsequent section which authorises the Parliament of Canada to constitute a general Court of Appeal for Canada, and also such other Courts as may be necessary for the better administration of the laws of Canada, do not divest the Provincial Legislatures of any powers. I do not understand that anyone holds that, if we were to exercise that power and constitute Courts, and give them power to deal with both the Civil and Criminal Law of the Dominion, that that would, in the smallest degree interfere with the original jurisdiction over the affairs of Canada with which the Courts of the Provinces are vested. I will suppose we were to constitute a Court of original jurisdiction, for the trial of criminal offences and the administration of the laws of the Dominion; that would not, in the slightest degree, under the provisions of this Act, take away from the Local Legislatures the power given them by the 14th sub-section of the 92nd section, they still would have power to try criminal offences, and administer the laws of Canada in those Courts as Courts of original jurisdiction. We could not prevent their exercising that power by the provisions of any law we might pass; much less can we do so by attempting to alter the constitution of a Provincial Court as is proposed by this Bill. Procedure, therefore, has wholly to do with the means in which particular offences or offenders shall be brought before the Court, and with the pleading, practice and law of evidence. My objection to

this Bill is that it deals, not with procedure, but with the constitution of the Criminal Courts.

Bill read the second time, on a division.

#### THE LATE ACCIDENT TO THE VICE-REGAL PARTY.

##### MESSAGE FROM HIS EXCELLENCY.

SIR CHARLES TUPPER delivered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“The Governor-General transmits to the House of Commons his reply to the Joint Address of the Senate and the House of Commons, expressing their sympathy on hearing of the accident which befel himself and Her Royal Highness the Princess Louise, when on their way to the Senate Chamber.

“GOVERNMENT HOUSE,

“OTTAWA, 5th March, 1880.

“Honourable Gentlemen of the Senate:

*Gentlemen of the House of Commons:*

“I much regret that the Princess is unable to receive with me in person the Joint Address you do me the honour to present to me to-day.

“The concern you express for the injuries she lately received when on her way to the Senate Chamber, the sympathy shown on hearing of the accident, and the satisfaction expressed on learning that the evil results are now fast disappearing, give to us a token of your kindness which has been deeply felt by her.

“During the time she has been in Canada, she has received from the people of this country constant marks of their chivalrous and generous affection. She bids me tell you, what I know to be the simple truth, that she is very sensible of these, and feels herself happy in having come here, and in being the occasion of the manifestation of the love of a loyal and united people for the Queen and the Empire.

“It will be her pride, while in Canada, to devote herself to the interests of the people, who have before them so great a future, and in whose hearts it will be her earnest wish to find an abiding place.

“LORNE.

“GOVERNMENT HOUSE,

“OTTAWA, 5th March, 1880.”

House adjourned at

Fifteen minutes before

Ten o'clock.

## HOUSE OF COMMONS.

Monday, 8th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

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

Bill (No. 60) To incorporate the South Saskatchewan Valley Railway Company.—(*Mr. Robertson, Hamilton.*)

Bill (No. 61) To make provision for the winding up of insolvent incorporated Banks, and other Companies.—(*Mr. Ives.*)

Bill (No. 62) To amend Chapter 18 of the Statutes of Canada, passed in the 41st year of the Reign of Her Majesty, intituled an Act to provide that persons charged with common assault shall be competent as witnesses.—(*Mr. Ives.*)

### SUPPLY—THE ESTIMATES.

#### MESSAGES FROM HIS EXCELLENCY.

SIR SAMUEL L. TILLEY delivered two Messages from His Excellency the Governor-General.

MR. SPEAKER read the Messages, and they are as follows:—

“LORNE.

“The Governor-General transmits to the House of Commons, Estimates of sums required for the service of the Dominion, for the year ending 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, 8th March, 1880.”

“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, 1880; 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, 8th March, 1880.”

*Ordered,* That the said Messages and Estimates be referred to the Committee of Supply.—(*Sir Samuel L. Tilley.*)

### PRIVATE BILLS.

#### THIRD READINGS.

The following Bills were severally considered in Committee of the whole House, reported, read the third time and passed:—

Bill (No. 24) To incorporate the Dominion Commercial Travellers' Association.—(*Mr. Gault*)

Bill (No. 27) To incorporate the Baptist Union of Canada.—(*Mr. Mackenzie.*)

WEST INDIES.—STEAM COMMUNICATION.

QUESTION.

MR. DOMVILLE enquired, Whether it is the intention of the Government to subsidise a line of steamers from St. John, N.B., to Panama, touching at the West Indies.

SIR JOHN A. MACDONALD: The subject of subsidising a line of steamers from the Dominion is under the consideration of the Government.

GOVERNMENT LIFE INSURANCE.

QUESTION.

MR. DECOSMOS enquired, Whether it is the intention of the Government to introduce a measure this Session to enable it to issue Life Insurance Policies; if so, what is the nature of it?

SIR JOHN A. MACDONALD: It is not the intention of the Government to introduce such a measure this Session.

KENT, N.B.—COGAGNE PUBLIC WHARF.

QUESTION.

MR. GIROUARD (*Kent*) enquired, Whether it is the intention of the Government to cause a survey and examination to be made during the ensuing summer at the port of Cocagne, Kent County, N.B., to meet the views expressed in a petition from a large number of residents of that locality, praying for the construction of a public wharf at that place.

MR. LANGEVIN: It is the intention of the Government to cause an examination to be made the ensuing summer.

SHELburne, N.S.—CAPE NEGRO ISLAND HARBOUR.

QUESTION.

MR. ROBERTSON (*Shelburne*) enquired, Whether it is the intention of the Government to make any appropriation for the improvement of beach and protection of harbour at Cape Negro Island, Shelburne County, during the present year.

SIR JOHN A. MACDONALD: It is not the intention of the Government.

SHELburne HARBOUR, NOVA SCOTIA.

QUESTION.

MR. ROBERTSON (*Shelburne*) enquired, Whether it is the intention of the Government to erect a fog whistle at the

MR. DOMVILLE.

entrance to Shelburne Harbour, Nova Scotia, during the present year.

SIR JOHN A. MACDONALD: It is not the intention of the Government.

RICHMOND, N.S.—FOURCHÉ HARBOUR FOG-BELL.

QUESTION.

MR. FLYNN enquired, Whether it is the intention of the Government to place a fog-bell at the entrance to Fourché Harbour, in the county of Richmond, this year.

SIR JOHN A. MACDONALD: It is not the intention of the Government.

CEDARS CANAL.

QUESTION.

MR. MONGENAIIS enquired, Whether any decision has been taken by the Government with regard to the building of the Cedars Canal, on the north side of the St. Lawrence, in the counties of Soulanges and Vaudeuil.

SIR CHARLES TUPPER: No decision has yet been arrived at in regard to that question.

RAILWAY STATIONS IN MONTMAGNY.

QUESTION.

MR. LANDRY enquired, Whether it is the intention of the Government to cause to be erected, next spring, railway stations at St. François Rivière du Sud, St. Michel, St. Jean Chrysostome, Etchemin, St. Pierre Rivière du Sud, and Cap St. Ignace, and to repair the station at St. Thomas.

SIR CHARLES TUPPER: It is the intention of the Government to erect new railway stations at St. François Rivière du Sud, St. Pierre Rivière du Sud, and to repair the stations at Cap St. Ignace, and St. Thomas.

NAVIGATION BETWEEN LONDON AND CHATHAM, ONTARIO.

QUESTION.

MR. STEPHENSON enquired, Whether it is the intention of the Government to take any steps, during the present year, with the ultimate end in view of improving and facilitating the navigation of the river Thames, between the town of Chatham and the city of London.

MR. LANGEVIN: It is not possible to take any steps just now to improve and facilitate the navigation of the Thames.

between the town of Chatham and the city of London, because we have no data to go on; but it is our intention to have an examination of that river made next season.

#### INTERCOLONIAL RAILWAY—BRANCH AT LÉVIS.

##### MOTION FOR RETURN.

MR. LANDRY, in moving for an Address for a copy of the report of the survey made in 1879, by order of the Government, preliminary to the construction of a branch of the Intercolonial Railway to connect St. Michel or St. Charles with St. Joseph de Lévis, and all the documents, petitions, etc., relating to this matter, said: Not only the municipalities situated between the two points specified in my motion, but also a large number of other municipalities on the line of the Intercolonial, or adjoining the parishes crossed by that Railway, have raised their voices, and through their Municipal Councils have called upon the Government to construct the branch from St. Charles to Lévis. The Quebec Board of Trade and that of Lévis were not behindhand, and upon a question within their purview, for this is a matter of trade and commerce, they affirmed, without any hesitation, all the importance of the proposed branch, its undoubted utility, I may say its commercial necessity. The Government ordered a survey, and called for a report on the proposed line, thereby recognising all the importance to be attached to the various petitions which have been addressed to it. The survey was made, the report is now before the hon. the Minister of Railways. My motion calls for the production of that report, but I hope at the same time to draw the favourable attention of the Government to this question, and to obtain, if possible, from the hon. the Minister of Railways, such a declaration as may cause us not only to hope, but to be assured that this branch of the Intercolonial Railway will be built. Its length will not be great; the distance from Lévis to St. Charles by the proposed line is twelve miles. Starting from Lévis, at the point where the ship-yards now are, it will run eastward along the river, tending to the right at St. Joseph Village which it will cross near the convent, and skirting Indian Cove, will tend to the right after leaving it, following an east-

south-easterly course to connect with the Intercolonial Railway near St. Charles station. I have just stated that the distance from that station to Lévis is twelve miles. With the Intercolonial Railway, as it is now, the terminus being two miles above the proposed terminus, the distance from St. Charles to Lévis is twenty-three miles, and would amount to twenty-five miles to reach the point where the St. Charles Branch would terminate at deep water. There is therefore a difference in favour of the proposed line of thirteen miles, an enormous amount in a distance of twenty-five miles. This is one of the advantages which should induce the Government to adopt the proposed line. It is not the only one. Doubtless it is pleasant for travellers to save thirteen miles out of twenty-five, but what is pleasant for travellers is a matter of necessity for trade, and the moment that branch is built, traffic will, as a matter of course, infallibly take that route. And it is the special interest of the Government that it should be so. In the more or less remote future, the North Shore Railway, we must at any rate hope, will become one of the roads necessary to the Pacific Railway now being built by the Government of the country, and the Government on its part, I am sure, in the interest not only of the Province of Quebec but of the whole country, will make it a duty to acquire the North Shore Railway. Now, from the moment that the North Shore Railway becomes a continuation of the Pacific Railway, there will only be the St. Lawrence to be crossed to connect the Pacific and Intercolonial Railway, and realise in its entirety the immense line which, traversing the whole of the vast possessions of Great Britain in North America, will connect the Atlantic and the Pacific. If we look only to the present, not raising a corner of the veil which hides the future from us, without reckoning its promises, I admit that the proposed branch would not at once assume all the importance with which time must necessarily endow it. But, when the Government shall have acquired the North Shore Railway, the whole traffic of the West, utilising this line, because it is nearly ninety miles shorter than the present Grand Trunk line, will go to Quebec, will cross over to Lévis by means of ferry vessels, such as

are now in use in the United States, and finding in the proposed line that which commerce invariably prefers, because it is the shortest, will utilise the latter and prove in the plainest manner the correctness of our foresight and the justice of our most legitimate hopes. Is there an objection to the cost of the undertaking? Such an objection cannot stand for a moment before the requirements and the interests of trade. And, further, what Government, convinced of the legitimate nature of our claims would refuse to expend in that part of our Province, for an object of public interest, a sum of \$200,000—and the outlay on the proposed undertaking will not reach that amount,—while millions are yearly expended in the extreme West for the construction of the Pacific Railway and the improvement of our system of Canals? The interests of our Province, those of the Maritime Provinces, those of the whole Dominion—for the greater interests of trade cannot but be those of the country—all combine to show the Government that our request is a reasonable one, that it is deserving of their consideration, and that they must grant it if they are desirous of doing justice to those who come to this House to defend and promote the interests of the county which they represent.

**SIR CHARLES TUPPER:** The importance of the work to which the hon. gentleman has referred has not escaped the attention of the Government, and a survey was ordered in order to show what difficulties would be encountered, what the character of the grades would be, and to make an estimate of the cost. I shall have great pleasure in bringing down the result of the survey with the plan, so that the hon. gentleman may have an opportunity of seeing exactly the position of the question. It will receive the attention of the Government, but it is impossible for me to say at this moment what decision will be arrived at. The hon. gentleman says it will cost \$200,000, and that as so much money is being spent in other places he thinks that might also be provided. But it would naturally suggest itself to the mind of the hon. gentleman, that the more money the Government is compelled to spend in other places, the less is the ability of the Government to furnish the requisite \$200,000 for this

**MR. LANDRY.**

work. There is no doubt that the line would be shortened and a great convenience would be secured by its construction.

**MR. ANGERS:** I may be permitted to add a few words in support of the motion of the hon. member for Montmagny (Mr. Landry), since I find the Government have not yet made up their minds as to the period at which the direction of the Intercolonial Railway at St. Charles is to be made, so as to bring it in a direct line to the harbour of Quebec, at a place called Indian Cove. I can give no better reasons for the immediate construction of this work than those given last year by the hon. the Minister of Railways, to induce the House to make the purchase of that portion of the Grand Trunk comprised between the Chaudière and Rivière du Loup. He then stated that, under the Act of 1867, the Intercolonial should connect Halifax with the waters of the St. Lawrence, and that consequently it was necessary that this portion of the Grand Trunk should be purchased and directed from St. Charles to Indian Cove, a distance of about ten miles. The Rivière du Loup Branch has been purchased, but the direction of the ten miles of road is yet to be made. It is most important that it should be; it will shorten the distance between St. Charles station and the harbour of Quebec by some thirteen miles; moreover, by connecting with the Quebec, Montreal, Ottawa and Occidental, it will make the total distance from Halifax to Ottawa 926 miles, whilst by the Grand Trunk route it is now 1,010 miles. The result of this connection over the Quebec, Montreal, Ottawa and Occidental would make Halifax some eighty-four miles nearer to Ottawa. Referring to the grades on the ten miles of road to be built to bring the Intercolonial in a direct line to the harbour of Quebec, they are stated to be eighty feet for three-fourths of a mile, and sixty-six feet for three miles, the remainder of it being light. These grades can easily be reduced, and perhaps entirely avoided, by running the road on the river side of the St. Lawrence as far as St. Michel, and from there to St. Charles. By this means the road would be run over a flat country, the right of way would not be expensive, the beach of the St. Lawrence below Indian Cove being the property of the Pro-

vince of Quebec; and upon private property would not cost more than \$30 to \$40 per acre. It was stated that the bulk of trade came over the Grand Trunk from the west, and that there was no urgency for the change.

Motion agreed to.

#### LEEDS AND GRENVILLE COUNTY JUDGESHIP.

##### MOTION FOR CORRESPONDENCE.

MR. BLAKE, in moving for an Address for correspondence on the subject of the County Court Judgeship and Junior Judgeship of Leeds and Grenville; and for a statement in detail of the amount of judicial work transacted by the County Court Judge and Junior Judge, in each year, for the last twelve years, said: It may perhaps be within the recollection of some members of the House that, four years ago, an enquiry was made by the hon. gentleman who now leads the Government, as to the intention of the Administration with regard to the vacancy created by the demise of the Senior Judge of Leeds and Grenville. It was then my duty to reply that, the Administration, having made such enquiry as they could, and having received from the Junior Judge a statement that he was perfectly adequate to the discharge of the whole work, it was not thought to be in the public interest to make a second appointment. Indeed I may observe that the old law rendered it often a great temptation to those charged with such duties to create second Judgeships, because there was then no provision for a retiring allowance to a County Court Judge. The consequence was that the Executive was placed in a painful position when a Judge became incapable of discharging his duties, and there were no means of supplying the people with the needed judicial power. I am sorry to say it was too often decided to supply the want by a second appointment. Of such appointments was the original appointment of a Junior Judge of Leeds and Grenville. That difficulty was removed during the Administration of the hon. member for Lambton, by a measure providing for retiring allowances to County Court Judges, and from that time out it was the policy of that Administration not to make any second appointments where age and infirmity

rendered it impossible for the existing Judge to discharge the duties of his office; such applications were met by a reference to the Act. We considered that there was no reason for burdening the finances of the country with a second appointment to fill the vacant Judgeship in Leeds and Grenville, and I am not aware that there has been any special increase of judicial work in those counties, or that there has been any serious change in the labours and responsibilities of the Judge since the time the sole incumbent of the office reported that he was thoroughly competent to discharge the whole duties. Rumours have been for some time in circulation to the effect that it is intended at no long date to create or fill a Junior Judgeship in Leeds and Grenville. I have recently received communications from respectable inhabitants of that district, saying that it was reported on good authority and with great circumstantiality, not merely that the position would be filled but that a particular individual had been assigned to the place. Therefore I thought it right to move for correspondence, and also to ask for a statement in detail of the judicial work in each year since Confederation, in order that the House may ascertain whether there exists to-day any substantial reason for the appointment of this Judge that did not exist formerly, or whether the real reason is that the Judge is to be appointed by a different party from that which would have made the appointment in 1876.

MR. McDONALD (Pictou): There can be no objection whatever to the motion of the hon. member passing. The rumours to which the hon. gentleman refers are entirely unfounded. The Government have made no promise, have made no appointment, nor have they made any selection whatever to fill the place to which the hon. gentleman refers.

MR. MACKENZIE: Would the hon. gentleman make the same statement with regard to the similar rumours with reference to the counties of Stormont, Dundas and Glengarry.

MR. McDONALD (Pictou): I would have no objection to say that no such appointment has been made in the county of Glengarry.

MR. MACKENZIE: Oh.

MR. McDONALD: I can go further,



and say that no promise has been made to any person. So far as I know, the Judge for Glengarry has no intention of resigning. I was incidentally shown a letter from him the other day, in which he declared it to be his intention not to resign.

**MR. MACKENZIE:** I was quite aware of that, but what I wished to know was whether the current rumours had any foundation. The hon. gentleman said the rumour with reference to Leeds and Grenville had no foundation.

**MR. McDONALD:** I can give the same answer to the hon. gentleman as I gave to the hon. member for West Durham (Mr. Blake).

**MR. CAMERON (South Huron):** The hon. the Minister of Justice's answer to the hon. member for West Durham is satisfactory as far as it goes, but it does not go far enough. It has been stated in the public press that a certain gentleman expects to get the appointment of Judge in the counties of Leeds and Grenville. The hon. gentleman does not deny that rumour, and, of course, we must take it for granted that there is something in it if he does not deny it in explicit words. I regret that the hon. gentleman who has made this motion has not gone further, and asked for information in regard to the judicial work done in the various counties throughout Ontario. The return in that form would have afforded valuable information to members of the House who have taken an interest in this matter. I believe that the whole system upon which County Court Judges are dealt with is a bad and vicious system, and the quicker the Government remedy it, the better. This especially refers to the system upon which they are paid, a system which has nothing to recommend it which has some uniformity but no justice or propriety. For instance, a County Court Judge, who has to administer justice to 100,000 persons, whose time is constantly employed and whose labours are enormous, gets precisely the same pay under the law the hon. gentleman at the head of the Government introduced in 1873, as a County Judge administering justice to a county comprising 10,000, 15,000 or 20,000 persons. The one man has ten times as much work to do as the other, as the returns submitted to the House some time ago show, and yet both Judges

get precisely the same pay. Take, for instance, the county of Bruce. By the census of 1871, the population of that county was shown to be about 50,000. Now, I apprehend, the population of that county must border well on to 100,000, and yet one Judge administers justice in that county as County Court Judge, at an outlay to the Dominion of \$2,600, and so with the county of Leeds and Grenville. The present judge, when he was Junior Judge of these counties, said he did not want another Judge appointed because he was adequate to the whole work himself. In 1871 there was a population in the county of 57,918. I suppose now it has largely increased and yet he discharges the whole of the judicial business of the county for a salary of \$2,000 and \$200 for travelling expenses. The county of Wentworth, having within it the large city of Hamilton, and containing a population of some 100,000, has only one County Court Judge; there is no Junior Judge. The Judge of that county overtakes, satisfactorily the enormous judicial work pertaining to his office for an outlay to the Dominion of \$2,200 a year. In fact this system of appointment and the principle on which these Judges are remunerated is vicious and ought not to continue. In addition, as a general rule, the salaries are altogether too low; if you expect first-class talent you must pay for it, and this you cannot expect to get for the salaries paid; they have in many cases enormous duties to perform, and should be paid in proportion to the work done. Some of these Judges, especially the Junior Judges, accepted office in the expectation of getting their salaries increased; but they have not been increased. Upon what principle does the Government appoint these Judges, and on which principle does the Government pay them? On none that can be justified to the House, and on none that can be understood by anyone. There is certainly more work in the more populous counties than in the less populous ones, and the true principle is to base the salaries on a sliding scale, and pay in proportion to the amount of judicial work in every county. Take the county of Ontario for example, with a population of 45,890. That has a County Court Judge, with a salary of \$2,800; he was appointed under the old law; by that law

**MR. McDONALD.**

the Governor in Council fixed the salaries on a sliding scale, according to the amount of work to be done, and ranging from \$1,800 to \$2,800. This Judge, fortunately for him, was appointed under the old law, and draws his salary of \$2,800. Besides this Judge at a salary of \$2,800 there is in the county of Ontario a Junior Judge at a salary of \$2,200—making \$5,000 altogether for the administration of justice in that county with a population of only 45,890. Then again take the county of Wentworth with the double population, and with four or five times as much work to do as is done in the county of Ontario, and yet there is only one County Court Judge with a salary amounting to less than half of what is paid in the county of Ontario. Again the county of Grey has a population of about 90,000; the judicial work of that county is done for \$2,000, while, in the county of Waterloo, with a population of forty odd thousand it costs \$5,000 to do the work. A careful examination of the position occupied by these Judges, the mode of their appointment and the system of remuneration, will show anyone that the system is bad and vicious, and that both parties, both the present Government and the previous one, are to blame for not adopting a more equitable system. The Junior Judge's salary is a fixed, unalterable one. He has no increase, nothing to look forward to, no hope to rise—nothing to stimulate his ambition. That of the Senior Judges may be increased, but that of the Junior Judge never. In 1873, when the law was changed, the sliding scale abandoned and the present cast-iron rule adopted, the hon. the present leader of the Government said that it was the intention of the Government that the Junior Judges in the Provinces of Ontario and New Brunswick should get \$2,000 to begin with, and it was the intention of the Government to increase the salaries from \$2,000 to \$2,400 after three years' service; but, although the hon. gentleman was the author of that Bill and made some appointments under that Bill, and on the understanding that such increase should take place, he has not made these increases although the propriety of doing so has been pressed on him. Upon the occasion of passing that Bill several hon. members, including the hon. member for

West Durham (Mr. Blake), pointed out the viciousness of the system then being entered upon; he strongly pronounced in favour of the system then prevailing, that of a sliding scale, and contended that that was the true principle on which to remunerate these Judges, namely, in proportion to the amount of work to be done, but the hon. gentleman opposite carried his Bill notwithstanding these protests. Several applications have been made by these Junior Judges for the promised increase of salaries after the expiration of the first three years of their service, but these applications have been refused; and of course these men, who abandoned their professions on the assurance of the First Minister, have been deceived and disappointed. The Government hold that they are not bound to pay more than \$2,000 a year, as the Act is now construed to apply only to Judges and not to Junior Judges of the County Court. If the Government desire to get first-class men to occupy these important positions—and they are important positions—they cannot expect to do so for a salary of \$2,000 a year for the first three years, with an increase of only \$400 after the expiration of the three years. Take for instance the county of York; it would be impossible to find first-class men who would do the whole of the judicial work of that county for \$2,000 a year. The work is heavy and is constantly increasing. There has been hardly a Session of this Parliament or that of Ontario, since Confederation, that some new duties and some additional work has not been imposed on the County Court Judges. I object to the system which gives a Judge, administering justice to a small population—in some cases as small as 20,000 inhabitants—and having less than one-fourth of his time occupied in the discharge of his official duties the same way as the Judges of the counties of Bruce or Grey or Wentworth, who have an enormous amount of work to do, and whose time is necessarily all occupied in the discharge of their duties—I object to the system as a bad and absurd one, and I hope the hon. the Minister of Justice will see his way, before next Session of Parliament, to make such modification of the present system of paying these Judges as will do justice to all the

Judges. In fact, the best thing we can do is to retrace the steps of the Government and go back to the old system, adopt the sliding scale and fix the remuneration according to the amount of work that the Judges have to perform. That is the true course, and the one that should never have been departed from.

SIR JOHN A. MACDONALD: I think that the hon. gentleman might well have left this matter in the hands of the hon. mover of the resolution. He has wandered away from the subject of the motion. The hon. gentleman says that the question has not been answered in reference to rumours, which he says have been broadcast, and that, because the Government have not denied them, they are, therefore, true. That is a new idea as to the responsibility of the Government, that they should be responsible for every rumour that floats, whether private or public. When the hon. the Minister of Justice stated that there was no appointment, and no promise or selection of any person for any office, I do not know if there could be any more distinct statement.

MR. CAMERON (South Huron): But what is the intention of the Government?

SIR JOHN A. MACDONALD: The hon. member for South Huron asks what is the intention of the Government? Their intention is that, whenever it is proved to them that—in the language of the hon. member for West Durham (Mr. Blake)—the work in any given county has so increased that an average Judge, with good physical health, cannot perform it, then a Junior Judge, under the Act, will be appointed. I remember quite well the conversation that took place in the House when the question arose as to the county of Leeds and Grenville, and the Judge, Mr. McDonald, who then held the Judgeship of that county, and who does still, stated that he was quite able to perform the duties. I have no reason to think that he has become incapable since. It is quite true that the Bar in the counties of Leeds and Grenville and Glengarry have made strong remonstrances, and represented that the Judges could not perform their duties, and contended that it was necessary, in the interests of the public, to appoint Junior Judges; but I can only assure

the hon. member for South Huron (Mr. Cameron) that these are not the only counties from which remonstrances have come. The hon. gentleman says that the mode of paying the Judges is absurd. I do not know whether he is attacking the present Government or the late Government, but, if the mode is absurd, it is quite clear that the late Government have been guilty of the same absurdity. The hon. gentleman says that some statement was made with reference to increasing the salaries of Junior Judges after three years; but, even if this promise was made, it so happens that before those three years had passed we were out and they were in, and, while we were *ex cathedra*, they continued the matter as it was left. My hon. friends opposite must therefore smart under the strong castigation given to us both by the hon. member for South Huron. I cannot understand the line of argument taken by the hon. gentleman. He says that with good salaries first-class men can be got, and none but first-class men should be chosen. But it is necessary that we should have first-class men for small counties as well as for large counties. They all hold the same rank, and they are all bound to give all their time, whether for large or small counties; and I think there ought not to be a disparity in the pay of the Judges. A Judge can do no more than give up his time to his judicial duties. It would be a misfortune, under the hon. gentleman's mode of paying, for a first-class Judge to get a small county. Or, if the first-class men, on account of the difference in the rate of pay, would not take the small counties, then the large counties would have superior men, and the small ones inferior men. The small counties would not have such good Judges as the large counties. There would not be such good justice to be obtained in the small counties as in the large ones. Now, it is just as important in small counties as in large counties to have a Judge of first-class ability. A person who brings a suit in a small county has the same right to have the service of a good Judge as a person bringing a suit in a large county. If the Judges are to be men of first-class ability, as the hon. gentleman contends, then they must be first-class for all the counties, big or little. If that be the conclusion of the House—and it seems to me to be common sense—then the com-

plaint is that the salaries of the Judges of the counties are insufficient. If the hon. gentleman thinks so, he is bound in the interest of the Judges to press for an increase. Speaking of Ontario, you can get men of high standing in the profession—perhaps not of that particular excellence from which you choose Judges of the Superior Court, or Judges of the Supreme Court and the Court of Appeal—but you can get for the present salaries good working County Judges, although the salaries are much less than the salaries of the Superior Court Judges. I think, with the hon. member for West Durham (Mr. Blake) and the hon. leader of the Opposition, that, whenever a vacancy occurred there was no lack of applications by gentlemen who held respectable positions in the profession. It is a general rule with local leaders of the profession, gentlemen of respectable standing, gentlemen having good practices, to apply for those appointments. Of course, I take it that a man in good practice, whether he goes to the Superior Court Bench or the County Court, will not equal pecuniarily his practice as a professional man. Professional men who look for judicial appointments are men of experience, men of some age, men willing to retire from the active everyday worry and fatigue of professional life, who have, by a successful practice, accumulated some means, and desire to retire to a dignified position as a Judge, although their emolument will be less than the average amount of their professional earnings. Nowhere in England or here will the country submit to pay salaries equal to the highest amount that the best ability will gain for a professional man. I think, when the rule was laid down, at the time the subject was discussed, when the Bill which the hon. member for South Huron declares was absurd was passed, the question was how to average the incomes in a given locality so as to secure sufficient talent to perform the judicial duties; and the great difficulty that arose was from there being no retiring allowance; in consequence, Junior Judgeships were invented for doing the work of the Senior Judges, who could not be turned out to starve, after becoming, from ill-health or physical weakness, incapable to perform their duties. The late Government, in a praiseworthy spirit, attempted to cure

that by providing a retiring allowance. But that does not induce them to retire. They are just about as willing to retire on two-thirds of the salary as they were on nothing, and I do not see how you are to get rid of the difficulty unless you allow them to retire on full allowance. There are continual complaints of Judges, who, through ill health or physical weakness, have become incapable of performing their duties. There is a little anomaly arising from this fact, that, while we have the power of appointing, the power of removal does not rest with the Dominion Government but with the Local Government. I am personally aware that there are continual complaints made at this moment that Judges hold office and draw salaries who are incapable of performing the duties. We have no means of preventing that. We cannot remove a Judge, and consequently the responsibility of any Judge lingering on the Bench, who should retire, does not rest with the Dominion Government. There can, of course, be no objection to the production of those papers. I am glad the hon. gentleman has moved for them, and I am glad the discussion has arisen, because it will give full notice to the Bar in the different sections of the Province that other considerations than the mere convenience of the Bar must govern this question; that having two Judges in any given locality must and will govern this House in appointing Junior Judges and fixing the salaries.

MR. FITZSIMMONS: Just before the late Government went out of power, a very strong pressure was brought to bear upon them to appoint those Judges. I believe in the views expressed by the hon. the leader of the Government on this question. I think the Judge for the combined counties of Leeds and Grenville (Mr. Macdonald) is a very capable one. He is respected, not only as a judge, but as a gentleman, and I have no hesitation in saying that his appointment has given general satisfaction. With regard to the appointment of Junior Judges, I may say that the Government have been approached by a large number of persons connected with the united counties of Leeds and Grenville, asking for such an appointment, but, so far as I know, they have resisted, on the ground that such an appointment was unnecessary. I am not

prepared to say whether it is necessary or not, but I know that Mr. Macdonald has performed his duties with zeal and given general satisfaction.

MR. HESSON: I desire to make a few comments on this matter. It is true, as the hon. member for South Huron (Mr. Cameron) has remarked, that there are large counties in Ontario where the Judges have very heavy work to do. I can refer to the county in which I live (North Perth), where the Judge has a population of 60,000 to 70,000 to adjudicate for. The Bar are complaining that judgments are not rendered as rapidly as they ought to be in the interests of the public, and we cannot blame the Judge, because he is overtaxed with work. He has been many years on the Bench, and has had very little or no relaxation, and I think it would be in the interest of the public if a Junior Judge were appointed. Even if the salary were small, there are good men practising at the Bar who would be glad to take such positions, even with the salaries now attached. I have applied to the hon. the Minister of Justice, and pressed him in regard to this matter, but without result. It is not alone from the county of Leeds and Grenville, or from Glengarry, that these complaints come, but from many other counties in the Province. I think that the Judge of the county of Perth, who has grown old in the service, requires some assistance; and the hon. the Minister of Justice would do well to consider such demands from counties where the population and territory is large, and where Judges have given a long series of years to the Public Service.

MR. BLAKE: The observations just made no doubt present a fair sample of the arguments used in favour of the appointment of Junior Judges. A man has been a long time on the Bench. He has got tired of work. It is true that he has not laboured hard, but still if he is tired he should have a holiday. In order that he should have one, he is not to be placed on a retiring allowance, but is to receive full pay, while another man is to be paid to do his work. The gentleman, however, who is said to have been overworked in one instance has *suâ sponte* been discharging the office of Master in Chancery for his county, as well as that of Judge. If he cannot discharge the official duties for which he is paid a salary

and those of the Master in Chancery as well, he had better resign one of those positions. I wish to say that I am wholly satisfied with the answer the hon. the First Minister made to the observations I addressed to the House. That of the hon. the Minister of Justice was not quite so full, but the general statement of the hon. the First Minister of the principle on which the Government propose to act is satisfactory. I will hope that the virtuous resolutions thus proclaimed in this House may never under any pressure be departed from in the privacy of the Council Chamber. But I cannot agree with all we have heard. I cannot agree with the statement that the retiring allowance has not done good. It is true that not many Judges have accepted it, but still some have. But it has done good in rendering it plain to the Judge and the public that there is another alternative to that which was formerly the only one—the appointment of a Junior Judge. It is easy to say to the Judges: If you are unable to do the work, we are now in a position to retire you and you have no longer any claims of compassion on us. You are enabled to point out to suitors, who complain that a Judge cannot do his work, that their proper course is to present that fact to the Judge, and if necessary to the local authorities, with a view to his retirement. I should be very sorry to agree in the proposition that County Court Judges, after twenty years' service, should be retired on full pay. What we did, and what is now the law, is calculated to remedy the evil, and it only requires that the Administration, when approached with a request for the appointment of an additional Judge, should firmly hold their hand if the real ground for such appointment is that the existing Judge has become too infirm to discharge his duties. Nor can I agree with the statement that the salaries are based on a proper footing. I do not like the old law, which arranged the salaries on a sliding scale, on no principle except at the discretion of the Executive; but I do not think it was right to equalise all salaries on the principle which now obtains. I agree with the hon. gentleman opposite that there ought to be a proper amount of judicial talent in the Judge of the smallest county. It is often the case, however, that light work

will be taken by able men at light pay, and to say that there should be the same degree of pay in all counties is practically to put the largest and most important counties to a disadvantage, because no man can doubt that those considerations which will influence an able practitioner to accept the dignified position of County Court Judge at a small remuneration are largely connected with the ease of the position. I have a paper before me showing the amount of work in different counties, which shows that there are counties which are infinitely more eligible in that point of view than other counties. In the county of Wentworth the work is actually double that which it is in some other counties. A tolerably accurate mode of determining what the relative scale of compensation should be would be found in the population of the district. But that would be subject to correction in the case of large urban populations, where there would be a larger relative amount of work than the total population of town and county would show. But after such a correction, for which the judicial statistics would indicate a basis, I think a scale of that description could be formed. The other difficulties are more serious. If we only had to deal with the Province of Ontario we could obtain a just plan, which would not largely add to the burdens of the Treasury, and would assist in producing a good result, namely, the supplying of fit men for these places. But, when you begin to deal with the County Court Judges in Ontario, you must deal with them elsewhere, and also with those of certain Superior Courts, and that is a still more difficult subject to dispose of satisfactorily. With regard to the suggestion that there is no difficulty in finding men at the county Bar to fill the place, my opinion is that it would be better to take men from other counties. One weak point in the system is that the County Court Judge resides in a single locality, and he discharges his duty amongst a comparatively narrow circle, before the same people and before the same clients. He is human and must be subjected to human influences, and at any rate he is suspected sometimes of favouring the suitors and practitioners with whom he is best acquainted. That is a difficulty which we cannot get rid of, but it is an argument against appointing

the Judge from among the practitioners of the county.

SIR JOHN A. MACDONALD: I did not speak on that subject.

MR. BLAKE: The right hon. gentleman said that there were numerous applications from the Bar of the county asking that they might be made Judges of the locality. I am pointing out that as far as possible those should be disregarded. I think that, as a rule, we should fill the office from some other county by a man who has abilities to commend himself to the people of the locality as a man fit to administer justice. Such was the principle on which, so far as practicable, I acted in filling these places, and I believe with good results.

SIR JOHN A. MACDONALD: My remark was applicable altogether as to the ability of getting professional men of sufficient standing to accept the present salary. The question whether it is preferable to send a stranger rather than a member of the local Bar, is a different question, and one to which I did not allude. There is a great deal in what the hon. gentleman said about the expediency of sending a stranger without any local prejudices.

MR. BERGIN: So far as the United Counties of Stormont, Dundas and Glen-garry are concerned, I may say, on the part of my brother representatives from these counties, that we do not desire the appointment of a Junior Judge, but we do desire some arrangement by which the present Judge may be superannuated, who, we all regret to say, is physically incapable of performing the duties. We believe that one Judge, if he is capable, industrious, sincerely desirous of doing his duty, and in good health, is quite sufficient, but, if he be like our present Judge, broken down in health, and like the gentleman spoken of by the hon. member for North Perth, performing in addition the duties of Master in Chancery, either he must retire or assistance be provided for him. And I quite agree with the hon. member for West Durham that no County Judge should fill the office of Master in Chancery, but, as the Judges of the Chancery Court have of late years insisted upon appointing the County Court Judges to this position, since attention has been called to the evil, it is to be hoped they will avoid such ap-

pointments in the future. Thus far I agree with the hon. member for West Durham (Mr. Blake) as to these Judges, but, when he says it is undesirable that gentlemen should be appointed from within the counties, then I take issue with him. It is very desirable that County Judges should have an intimate personal knowledge of the county, and possess the esteem and respect of the people. Does the hon. gentleman mean to say that a Judge appointed from without a county can, in these respects, be at all compared with the member of a local Bar, thoroughly known to the people as an upright, honest man, whose moral character is unimpeachable, and whose word is never gainsayed? Such a one will command universal confidence, but it will be a long time before one from another county, no matter what his attainments or character, will be so regarded. The arguments of the hon. gentleman are specious, but not more specious than unsound. The only one worth attention at all is the one that members of the local Bar, if appointed, will be under local influences. The hon. gentleman forgets that the new man will speedily form new associations, and, if not a very strong man, will be more under the influence of his new friends, and more likely to fall into the hands of cliques than a member of a local Bar. Moreover, in a Judge there must be public confidence from the moment of his appointment; and, as a rule, no one but a member of the local Bar can commend this. This is our opinion at all events, and we have urged it and shall continue to urge it upon the Government, whom we look to to find some solution of the difficulty in our counties. The present Judge, who is much respected, an able man and possessing the confidence of the people, is in such a state of health that it is quite impossible for him to perform the duties, and he refuses to resign, for the reason that his retiring allowance, together with his fees as Master, would be quite insufficient for his support. Cannot some means be devised to give to him an adequate annual pension?

MR. KIRKPATRICK: The subject of the appointment of County Court Judges is one that deeply affects the interests of the people. The administration of justice in the County and Division Courts comes

home to every man in the Province with particular interest. I agree with the opinion of the hon. member for West Durham that the system of paying those Judges by a uniform salary, or too small a salary, is not calculated to get the best men for the counties and cities, where the work is heavy. I cannot admit that the administration of justice in the large cities does not require a man of more energy, experience, and ability than the rural places where the duties are very light; and a Judge disposing of hundreds of cases to the tens disposed of by others should be paid somewhat in proportion. There is another reason, moreover, very material for such a change, the greater expense of living in the cities and large towns. It is not seemly and does not raise the Judge in the estimation of the people, that he should be unable to live within his salary, or avoid, as is sometimes the case the calls of bailiffs and sheriff's officers. Such a state of things ought to be enquired into, and, if it be found that living in the cities is too expensive to enable these Judges to uphold the dignity of their office, their salaries ought to be increased. Besides, in the cities they have to dispense justice in the Insolvent Courts, in cases involving thousands of dollars, and large amounts of property. In the Province of Quebec, the Judges discharging similar duties to those of the Ontario County Court Judges, receive salaries ranging from \$3,500 to \$6,000. Quebec has twenty-six Superior Court Judges, receiving \$3,500 to \$6,000, whereas the thirty-seven County Court Judges in Ontario are paid only \$2,000 to \$2,400. I do not think the difference is due to the fact of the Ontario Judges having lighter duties to discharge or less important business, or being men of less ability and experience. I see no reason for this inequality. I think the hon. the Minister of Justice should look into this matter, and especially the claims of the Judges in the cities of Ontario, whose work is so important and remuneration so inadequate. They have multifarious duties to attend to, that Judges in rural districts are exempt from. I trust that the remark of the hon. member for West Durham, which has been practically endorsed by the hon. the Minister of the Interior, that the Judges ought, if possible, to be taken from other places, will be

acted upon. The suggestion is excellent, and ought to be carried out. It does not seem wise or judicious that persons often engaged in a county as active partisans or politicians should be set to administer justice therein. The practice introduced by the late Government of appointing Judges from other places is most salutary.

MR. BOULTBEE: The effect of this legislation will be a diversion of perhaps more than half the County Court business into the Division Court. It seems to me to be very unfair to take away half the work, say of a man receiving \$3,000 to \$4,000 a year, and impose it on one receiving only \$2,000, who would thus be charged with the chief burden of the work. The Junior Judges would thus be doing two-thirds of the work for small salaries. In the county of York, for instance, it is questionable whether the Junior Judge would be able to do the work that would thus be thrown on him. Even if his salary were increased, it would seem improper to treble or quadruple his expenses by this change. At present, the Junior Judges who hold the Division Courts are enabled to fix a Court at one place one day and at another the next, and so on, making a sort of circuit. With the amount of extra work that would be thrown on them with the increase of their jurisdiction, they would be no longer able to take that cause, but be obliged to fix a day for the holding of the Court, and to go and hold the Court by itself, thereby largely increasing their expenses. It would not be fair to impose those fresh expenses on those Judges, who are not well paid at present. Though you may get men of average capacity now to take those judgeships, they may not be acceptable if, in addition to the extra duties, you impose an expenditure of \$100 to \$200 on them for travelling expenses. Unless the matter is dealt with in some practical common-sense way, those Judges will necessarily hurry the business of the Division Court to such an extent as to prevent its proper discharge. A large portion of the business of the country is done in the Division Court, and we must concede it is done in far too hurried a manner. With this change the probabilities are it will be done in a much more hurried and inefficient manner, and it would be but right to make some such arrangement for the better remuneration

of those Judges as should secure, not only increased efficiency perhaps, but as great expedition as hitherto.

Motion agreed to.

#### SENATE EXPENSES.

##### MOTION FOR STATEMENT.

MR. MILLS moved for an Order of the House for statement showing the amount paid Senators as an indemnity, the amount paid to the officers of the Senate, the amount paid to messengers of the Senate, the amount paid for printing by the Senate, and the amount paid for all other expenses connected with Senate, for each Session since the 1st of July, 1867.

SIR JOHN A. MACDONALD: Will the hon. gentleman be good enough to explain the object of his motion?

MR. MILLS: I think the object of the motion is plain on its face. The expenses of the Senate, especially the contingent expenses, have been large, and it would be interesting to know how they have arisen, and it would also be interesting to the public generally to know the cost of the maintenance of the second Chamber.

SIR JOHN A. MACDONALD: The first Chamber.

MR. MILLS: Another Chamber than this. Hon. gentlemen will see that the position the Senate occupies with regard to expenditure is an anomalous one. In England, since 1870, the expenditure of the House of Lords has been subject to exactly the same supervision as that of any other Department of the State. A return is made to the Secretary of the Treasury, and the Committee of Public Accounts examine into the expenditure of the House of Lords, the same as into all other outlays. That is not the case in Canada. A Bill was passed here regulating the financial affairs of this House, under which a Committee of Ministers has been appointed to assist the Speaker in the management of expenditure. That is supervised by a body which the Senate is a party in creating. This Act does not apply to the Senate, however. While the expenditure of this House that, constitutionally, has the control and provision of the means for the conduct of the Government, is not absolutely under its control, but under that of a Committee, constituted by the



action of Parliament, to which the Senate is a party, there is, from year to year, an expenditure going on in the other Chamber, subject to no supervision or control, and which, I am told, has not been audited or supervised for many years past. I do not think that is a desirable state of things. It is very important we should see exactly what the Senate's expenditure is, and how far the Auditor-General, who has been appointed under the authority of an Act of Parliament, is efficiently supervising this expenditure, as well as that of all the other Public Departments. My impression is the returns will show that the expenditure of the other Chamber has not been as economical as that of this House.

Motion agreed to.

Ordered, That a Message be sent to the Senate asking their Honours for the information required in the above statement.—(Mr. Mills).

#### NORTH-WEST TERRITORIES.—BREWERY AT BATTLEFORD.

##### MOTION FOR CORRESPONDENCE.

MR. FISET, in moving for an address for copies of all correspondence between the Government and the Lieutenant-Governor of the North-West Territory, or any other person, in relation to the establishment of a brewery at Battleford, in the said Territory, said: My reason for making this motion is that one of my friends who resides in the North-West, applied to the Government, through me, with a view to obtain a license to manufacture beer at Battleford. The Government thereupon referred the question to the Lieutenant-Governor of the North-West, and, on receiving his reply, informed me that they could not grant such license. Now, I should like to know the reasons given by the Lieutenant-Governor which have rendered it impossible for the Government to grant my request. I feel sure the House will have no objection to allow this motion to pass.

Motion agreed to.

#### MAIL CONTRACT BETWEEN VICTORIA AND SAN FRANCISCO.

##### RESOLUTION NEGATIVED.

MR. BUNSTER moved:

That it is desirable that the contract for carrying the mails between Victoria and San Francisco be awarded to British or Canadian vessels, whose headquarters shall be at Victoria.

MR. MILLS.

He said: We are labouring under a great disadvantage in British Columbia from having the mails to San Francisco carried by American vessels. I am credibly informed the masters of these vessels are paid by our American cousins to run down and decry British Columbia and Canadian territory, and yet some of them receive as high as \$54,000 of Dominion money. The captains ask passengers where they are going, and if they say they are going to British Columbia, the response on the part of the captain is: "You are a fool; you might as well throw away your money as to go to British Columbia. Why not go to Washington Territory or to Oregon?" That is the way the American companies talk when they are receiving our money for carrying the mails and making Victoria and Nanaimo way-ports. Now, I leave it to the good sense of this House if it is fair that we should encourage foreigners to carry our mails and our passengers. In the first place, their vessels are very unsafe, and they will not allow Canadian Inspectors to inspect them. Only a few years since, 316 of the people of Victoria were lost on one of these same American unseaworthy ships. The vessel in question, the *Pacific*, had been bought by the company for \$30,000, her original price having been \$500,000, but, so old and rotten was she, that while on the route between Victoria and San Francisco, when struck by a sailing vessel she immediately went down with all on board, with the exception of one passenger and one of the crew. One of the directors of the previous company which had owned her, when asked why he had disposed of her for so large a figure, exclaimed that he would not take a passage in her for \$30,000, and the result proved his wisdom and foresight. He not only saved his money but his life as well. I think the Government should take into consideration the advisability of putting a Dominion steamer on this service, for I am sure that there are a great many people on this side of the continent that want to visit our shores, but will not do so unless they can travel in seaworthy vessels. I would suggest to the Government that it should buy a boat for this service, or award the contract to a boat stationed at Victoria. When the last contract was let, I tried frequently, but

unsuccessfully, to obtain it for a British steamer. A good vessel would soon pay for herself in carrying freight and passengers, besides inspiring the travelling community with greater confidence by travelling on a British ship.

MR. O'CONNOR: I quite agree with my hon. friend's remarks, that it is desirable preference should be given to British vessels for this service, but, in the present instance, I fear that is not practicable, according to the terms of the motion. The motion says the contract should be awarded to British or Canadian vessels whose headquarters shall be at Victoria. Now, I suppose what the hon. gentleman means is that the contract shall be awarded to owners of ships whose headquarters is at Victoria. I am not aware of any person or company at Victoria having vessels of that kind. I know that my hon. friend claims that the Hudson's Bay Company have vessels which answer the description, and, if they have, they are the only persons, so that the passage of this motion would be equivalent to giving the contract for carrying the mails to the Hudson's Bay Company, without competition, and at their own price. As we cannot accede to that proposition, we are under the necessity of opposing the hon. gentleman's resolution. I would suggest that he withdraw it, as he has doubtless secured one purpose in speaking to the resolution.

MR. BUNSTER: That is a very easy way of getting rid of the motion, to ask me to withdraw it. I did not make it for the purpose of withdrawing it. I brought it forward in the interests of the entire Dominion as well as in the interests of British Columbia. I quite understand why the hon. the Postmaster-General does not know that we have in that Province vessels suitable for carrying the mails, for he has never yet visited our Province. If he would inquire of Mr. Dewe, the General Post Office Inspector, who has been to British Columbia, he would find that there are British companies there who have suitable vessels, and who are wise enough to put on good and safe vessels. We have been living in hope that this would be done when the Pacific Railway was built, and we have waited year after year for that consummation, which yet seems as far off as ever. If I

cannot get the support of this House for my motion, I suppose I shall have to bow with submission to the will of the Government. But five years is a long time to bow, and, if the contract is not awarded to a British vessel, at least the Government ought to have some consideration for the safety of British subjects who have to travel in unseaworthy ships. The Government should see that they are properly inspected. The owners of these vessels bring American inspectors down into the cabin and treat them to a champagne lunch. "Oh," say the owners, "these vessels are good enough to carry Britishers if they are not for Americans," and so the inspectors pass the vessels. I speak feelingly on this matter, because we have lost so many of our citizens by their boats. It is not right for the Postmaster-General to ask me to withdraw this motion. In my opinion it is his duty to give it his serious consideration. I am sure that every man in the Province will endorse my remarks on this subject.

MR. DECOSMOS: As far as the resolution goes, I am entirely in favour of it, but the matter has stood over so long that it will do no good to pass such a resolution at the present moment. The award has been given at a very low rate to the owners of foreign steamers. I think the mistake made in this matter was in allowing foreign steamship owners to tender for carrying these mails. But, as they have been allowed to tender, I think we should accept the situation for the present.

MR. MILLS: The Government is very inconsistent in opposing this motion. In the Tariff, the Government has laid down the principle of protection to home industries, and that great injuries would result from making our country a slaughter market. If the hon. gentlemen on the Treasury Benches are right in the financial views they have expressed, I do not see why the same principle should not apply to the matter now before the House. It is perfectly obvious that, if there are no vessels at the present time, if the protection is only sufficient and the amount offered high enough, persons will be induced to engage in shipbuilding, and furnish the necessary vessels for the route. Besides that, many persons will receive employment, and those gentlemen have an opportunity

of getting rid of the charge of being "flies on the wheel." Only let them exclude American competition, and say that none but British, or better still, Canadian, ship-owners shall be at liberty to receive contracts from the Canadian Government—and it would be very unpatriotic for hon. gentlemen on the Treasury Benches to take any other view of the subject—many persons will be induced to engage in this business, people who are out of employment will get employment, and the poor man will receive an honest day's wages for an honest day's work. Why should the hon. gentleman withdraw his motion, and why should the hon. the Postmaster-General retire from the position he has taken with his party on the principle of protection to home industry? Let them be consistent and apply their principles to this particular branch of Canadian industry; let them awaken a hum on the Pacific coast.

MR. BARNARD: I trust that in this matter the Government is acting consistently with the National Policy. It has stated its policy is to protect Canadians from a slaughter market. Unfortunately for us, we have had our slaughter market or the shores of the Pacific, when that terrible accident occurred, by which nearly three hundred persons were slaughtered in an old American vessel. Perhaps the hon. member for Bothwell wants a repetition of that kind of slaughter business. The object of the motion, I take it, was to draw the attention of the Government to the necessity of getting a better class of ships into the service. I believe, if the contract was awarded to British ships, we should have a better service. Steamers belonging to Americans on that coast, running north from San Francisco, are of a very inferior character indeed, and I think that any effort in the direction of subsidising safe vessels for the people of British Columbia to travel in should meet with approval.

MR. BUNSTER: After the remarks of the last speaker, I will ask that the motion stand. I hope that the hon. the Postmaster-General will see that we have good vessels for that service in future. If the hon. the Prime Minister could visit our Province, he will meet with a reception that will make him feel proud. With the consent of the House I will ask that

MR. MILLS.

this motion should stand for further consideration.

Motion *negated* on a division.

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

### After Recess.

#### FREIGHT RATES FROM THE MARITIME PROVINCES.

##### MOTION FOR STATEMENT.

MR. SNOWBALL moved for an Order of the House for statement showing the rates charged on freight from all principal points from Chicago and eastward to all points in the Maritime Provinces, to which freight is billed through; showing the different rates charged during the year, from 1st of January, 1879, to 1st of January, 1880; also, the rate charged for fish from all points in the Maritime Provinces to Quebec, Montreal, Toronto, Detroit, Chicago, Boston, New York and Philadelphia.

MR. MASSON: We can only give what information we possess.

MR. SNOWBALL: There has been a great deal of complaint lately that the rates of freight are in excess of what they have previously been since the Intercolonial was opened. There must be some reason for this, and I desire to ascertain what that reason is. Another complaint is that goods are carried at through rates for less than the rates to intermediate stations. There is nothing asked for in the motion that the Government is not capable of doing.

MR. MASSON: Whatever information can be given will be given.

Motion *agreed to*.

#### SHELburne HARBOUR, N.S., FOG WHISTLE.

##### MOTION FOR CORRESPONDENCE.

MR. ROBERTSON (Shelburne), in moving for an Order of the House for copies of correspondence and petitions asking for the erection of a fog-whistle at the entrance to Shelburne Harbour, Nova Scotia, said: I enquired of the Government to-day if it was their intention to make any provision for this work during the coming year, and was told it was not their intention. I may say in this connection that some two years ago petitions were forwarded to the Marine and Fisheries Department, signed by the representatives of the various insurance

companies, in the Maritime Provinces and by the shipowners of Halifax, Yarmouth and St. John asking for the erection of a fog-whistle at the entrance of Shelburne Harbour. It is one of the most important harbours on the coast, and within the past few years it has become one of the principal ports of call in Nova Scotia. In 1878, over 100,000 tons of shipping went to that port alone, because it was easy of access, and had telegraphic communication with all parts of the world. There is another reason why this matter should receive attention at the hands of the Government. Prior to the last election, the present Minister of Railways and Canals visited Shelburne, and gave to the people pledges in this direction. I think it would be well for him to carry out the pledges he made upon that occasion, and if he did he would perform a great public service. I hope, if the Government have not made provision for this expenditure in the Estimates this year, that next year they will be able to do something in that particular.

*Motion agreed to.*

PELEE ISLAND MAIL SERVICE—MR. WRIGHT.

MOTION FOR CONTRACT.

MR. OLIVER, in moving for an Order of the House for a copy of the contract entered into between the Government and Mr. Wright, during the year 1879, for the carrying of the mail between Kingsville, in the county of Essex, and Pelee Island; also, all correspondence between the Postmaster-General, or the officers of the Post Office Department, and Mr. Wright, with reference to said service, said: Before putting this motion, I would like to make one or two remarks with reference to the subject. It appears that, by an advertisement inserted in one of the local papers, tenders were asked for, to be received on or before the 18th April last. On 13th April last, Mr. Wright sent in a tender to carry the mails for six months, commencing on 1st May and ending 1st November, for \$287. On 24th April he received an answer from the Department, informing him that the tender was accepted by the Government. On the 28th April, the Postmaster at Kingsville received a communication from the London office with papers to be filled up

by Mr. Wright for the performance of said service, and there is a note attached to the said communication which I will read. It runs as follows:—

“Mr. Wright is of Colchester. He is to be at Kingsville, Thursday, when I hope also to be at Kingsville to meet him. If not, have contract handed him to get signed.”

Well, Sir, on the 17th May, he received an answer from the Department at London, in the following words:—

“I am quite as disappointed as you can be—but I am not yet advised from Ottawa who the postmaster is to be—and it is of no use whatever my commencing the business until I know who is to be postmaster.

“The delay is not here—and I wrote to postmaster, Kingsville, and desired him to explain this to you.

“So soon as I receive instructions, I will attend to the matter—until I do I must perforce wait.”

On the 19th June, Mr. Wright wrote the Post Office Inspector at London again, to the following effect:—

“Herewith you will please receive the contracts filled up and signed for the Pelee Island mail. I would have sent them before this, but fully expected to have seen you personally or to have heard from you. Have you as yet heard from Ottawa who the postmaster is to be? I am told Mr. Arthur McCormack will be appointed. I have been ready and waiting, expecting every day to get orders to take the mail over to the Island.”

On the 21st June he received the following reply:—

“I beg to acknowledge the receipt of your letter of the 19th inst., with contracts for Kingsville and Pelee Island service enclosed. I regret to say that I have not received any nomination to the postmastership at Pelee Island yet, but will notify you when it is necessary to be ready for conveyance of the mail.”

On the 18th August, Mr. Wright received a very strange letter from the Post Office Department in London, in which he was asked to perform the service for September and October for one-third of the full amount of the tender, that time being one-third of the time covered by the contract. He answered, refusing to perform the service for the two months on those terms. He said he would not perform the service for the worst two months of the half year for the same rate as for the whole six months; and, upon the 4th of November, he wrote stating that the contract had expired. He wrote to the Post Office Inspector at London as follows:—

"My contract for the Kingsville and Pelee Island mail having expired on the 1st November, instant, you will please send me \$287, being the amount due me under said contract."

Upon this he received the following communication, endorsed upon the last-mentioned letter:—

"The contract never was accepted or entered upon or signed by the Postmaster-General. I must therefore refer you to him at Ottawa."

On the 13th November, Mr. Wright wrote to the Postmaster-General at Ottawa the following letter:—

"I entered into a contract for the conveyance of the mail between Kingsville and Pelee Island, in Lake Erie, from the 1st of May to the 1st of November, 1879, and was fully prepared to carry it out. On the 4th of November, instant, I wrote to the Post Office Inspector at London—a copy of which communication I herewith enclose. The letter was returned to me, with a memorandum endorsed thereon, referring me to the Postmaster-General at Ottawa.

"I now beg leave to submit my claim to your consideration, as I feel that I ought to be remunerated for my loss of time and expenses, as I made every arrangement necessary, and as my tender was accepted and contracts duly executed with sureties, I was prevented entering into any other engagement.

"I therefore claim that I am fully entitled to the amount of my contract."

To this letter he received a general acknowledgement, and upon the 6th December he received the following letter from the Department:—

"With further reference to your letter of the 15th ultimo, in which you claim payment for the conveyance of mails between Kingsville and Pelee Island, during the summer season of 1879, I am directed by the Postmaster-General to request that you will be so good as to state what the work was which you performed under your contract, and for which you claim to be paid."

He answered the Postmaster-General by setting forth his claim as given in the previous letter, to which he had received no reply, and upon the 6th of February he wrote again to the present Postmaster-General, as follows:—

"Will you allow me to call your attention to a mail contract I tendered for and entered into last summer for the conveyance of the mail to Point au Pelee Island. I wrote to the Inspector at London for my pay, and was by him referred to Ottawa. On the 11th of December, 1879, I wrote to the then Postmaster-General at Ottawa, but up to the present have had no reply. On that date I wrote claiming that, notwithstanding the non-performance of the work, I am entitled to be paid the amount of my contract, for it was not my fault, but the appar-

ent neglect of the Department, that the service was not performed; and as my tender was accepted and contract signed with sureties I was compelled to prepare for the service, and paid out money and involved myself to do so; besides, as it was a matter to which I would have had to give my personal attention, I have in consequence lost a whole summer's employment, for you will see my contract was not cancelled or my bonds released, and I was kept in waiting and suspense during the whole time. I trouble you with this letter since it appears I cannot get any answer from the Department, and I feel sure you will do me the favour to look the matter up."

To this letter he never received an answer. Now, Sir, the question I wish to submit is this: Mr. Wright tendered for this service in good faith. His tender was accepted. He got bondsmen who were accepted. The tender was never cancelled, the bonds were never released; and in consequence of that engagement he lost his summer's employment. I therefore submit to the Postmaster-General that he is fully entitled to his pay; and I hope, and make no doubt, that the present Postmaster-General will state that he has looked into this matter, and that the Department is willing to pay the man for his services.

MR. O'CONNOR: I was not the Postmaster-General when this affair took place, and I can only speak from the information I have obtained from the Department in the regular way. It seems that tenders were called for before 1st May last, for the carrying of the mails from Kingsville to Pelee Island, that Mr. Wright's was the lowest tender and that his tender was accepted. At that time it was supposed that the post-office on the island would be established by 1st May, but it turned out that the post-office was not ready until 1st September following. In the meantime, Mr. Wright was not called upon to perform any service under the tender accepted. It had been in the meantime suggested to the Postmaster-General that the service could be more efficiently and conveniently performed from a place called Leamington than from Kingsville; and, having come to the conclusion that that was the proper place from which to carry on the service over to Pelee Island, an offer was made to Mr. Wright to carry the mail from Leamington instead of Kingsville. He, however, declined to do so, and the Postmaster-General, in the interest of the public service, gave the contract to other parties.

Of course, whether Mr. Wright is entitled to any compensation or not is another question, and one which, while I retain the position I have, I am quite ready to entertain and consider, but I think he is rather unreasonable in preparing a bill for the whole season's service without having performed it, and when he might have performed it with very little inconvenience. It made little difference whether he conveyed it from Kingsville or Leamington. But he refused the alternative and stuck to the bonds which he gave, and now he thinks he can obtain the whole season's price for service he never performed. I think that might be fairly resisted. However, I see no reason why the motion should not pass, and the papers be brought down, and the whole matter enquired into.

Motion *agreed to*.

#### PACIFIC RAILWAY TELEGRAPH.

##### MOTION FOR RETURN.

MR. DREW moved for an Order of the House for a return giving all correspondence respecting the non-efficiency of the Canadian Pacific Railway Telegraph; for all correspondence with the contractors in reference to the working of the line, and for a statement showing the moneys paid for the construction of each section; 2nd. The amount still claimed as due to the contractors, and all correspondence relating thereto; 3rd. The details of the amount, if any, which have been deducted from the subsidies payable to the contractors in consequence of the frequent stoppage of the line.

SIR CHARLES TUPPER: If I remember aright, a large portion of the correspondence connected with the Canadian Pacific Telegraph, moved for near the close of last Session, has already been brought down. I have no objection at all to bringing down the correspondence supplementary to that, with the exception of the report referred to by Mr. Compton; and I do not think it is consistent with the public interest to lay that on the Table at the present moment. Mr. Barnard's contract was cancelled by the Government, and an investigation was taken under oath in relation to it. Mr. Compton was sent out to British Columbia for the purpose of taking the testimony to be obtained there under the provision of the law, to enable the Government to

get sworn testimony in relation to matters of that kind. That testimony has been referred by me to the Department of Justice, and under those circumstances I do not think it would be proper at this moment to lay that report on the Table. I have no objection to the rest of the motion, but I would like the hon. gentleman to strike out that portion which asks for Mr. Compton's report.

MR. DREW: I have no objection.

Motion, as amended, *agreed to*.

#### IMMIGRATION AND COLONISATION PAMPHLETS.

##### MOTION FOR STATEMENT.

MR. TROW moved for an Order of the House for a statement in detail of all books, pamphlets or papers already issued or contracted for, as Immigration Papers, by the Department of Agriculture and of the Interior, or any other Department, on Immigration and Colonisation, since the 1st day of January, 1875, giving the name of the person by whom the book, pamphlet or paper was written or compiled, by whom published and where; the number of copies ordered, the number delivered, and the amounts paid, or agreed to be paid, and the amount, if any, advanced on account of orders not yet delivered; the returns to be accompanied with a copy of each such book, pamphlet or paper, and that all correspondence in reference to such printing to be brought down.

MR. POPE (Compton): It would be very difficult for us to furnish copies of pamphlets yet to be printed. I do not know what the hon. gentleman means by that.

MR. TROW: I mean only those that are contracted for and yet to be printed.

MR. POPE (Compton): The hon. gentleman asks that a copy of each pamphlet be furnished. How can we furnish a copy of a pamphlet that is not yet printed.

MR. MACKENZIE: It could be copied, even if it is not yet printed.

MR. TROW: Surely the hon. gentleman must have examined them, or he certainly would not have those pamphlets contracted for.

MR. POPE: The motion asks that we furnish the House with a copy of all pamphlets printed and ordered to be

printed. We may order a pamphlet to be printed, or allow some one to get up a pamphlet without seeing it at all, but not permit it to be printed unless it is suitable. That is very often done. We cannot furnish a copy of any such book as that.

MR. TROW : That is just the information I want to get. I want to know if there is any looseness about the Department. I want to know whether the hon. gentleman authorises parties to prepare pamphlets and engages to print 20,000 or 30,000 without knowing that they contain reliable information.

MR. POPE: The hon. member has not made out his case at all. If a person comes to me and asks if he may get up a pamphlet, I say "yes." I will take the pamphlet if it suits me after it is prepared. The hon. gentleman wants me to furnish a copy of a pamphlet like that. Suppose I have not seen it?

MR. ANGLIN : Does the hon. gentleman buy a pig in a poke in that fashion?

MR. JONES : My hon. friend does not say he buys a pig in a poke. He says, when a pamphlet suits him, he will take it. Perhaps the hon. member (Mr. Trow) would like to have a copy of the pamphlets to be printed next year.

MR. CASEY : The hon. Minister certainly stated that perhaps he might order somebody to write a pamphlet for the Department without seeing it. That certainly means that he gives a commission to write the pamphlet and undertakes to publish it. This is probably what my hon. friend (Mr. Trow) is trying to get at. It is certainly an extraordinary admission for a Minister to make, that he would give somebody a commission to write a pamphlet and undertake to buy it without knowing what it is. But, if he means they will take the pamphlet after he sees it, that slightly alters the complexion of the matter, but not very much. No one will write a pamphlet and submit it to inspection without having received a hint that it was pretty sure to be accepted.

MR. POPE: I think anybody that publishes a book expects to sell it. It suits, people may promise to take a certain number of copies. Am I then to bring down a pamphlet before it is published or I obtain a copy myself. This motion, if passed, would make me buy all

pamphlets for all time to come, before the House, whether it was convenient or suitable or not.

MR. PATERSON (South Brant): Perhaps the hon. the Minister of Agriculture would tell whether he has given permission to anyone to try his hand at writing a pamphlet, and how much he is giving for it.

MR. BOULTBEE: I think it would be rather hard to press for the particulars in this case. For we all know we have a number of very ambitious, clever young men, who think they know a great deal, and though they may not resort to public speaking, think they should be writing something frequently. It would be very hard if the young, rising intellect of this kind should be crushed out by harsh and economical Ministers, who refused to look at such lucubrations. It would be very hard if the House should return such writings, and add them to the number of rejected addresses. It is very much better to let them produce what they can, and let the Minister get it printed. Why cover a man with shame, who has been trying to do something for his country and has simply failed?

MR. TROW : I merely ask for a return of the pamphlets contracted for by the Department of Agriculture; the amounts paid and promised, and the number of copies of such pamphlets.

SIR CHARLES TUPPER : It is impossible to pass the motion in its present form. The mover asks for a statement, in detail, of all the books, pamphlets, etc., issued or to be issued. It would be quite possible to give a statement in detail of all the books, pamphlets and papers issued, ordered or contracted for; and I would suggest the amendment of the motion in that sense. I am a little surprised to hear hon. gentlemen opposite argue that it would be monstrous for the Government to engage to promote the publication of a work not already written. That is constantly done—not by the Government, but by the public, which subscribes and pledges itself to take certain works before they are written or published. Gentlemen do this often, because confident of the character and capacity of the authors and publishers. So, in the same way, if a gentleman offered to publish a work which the Government believed, from his knowledge and character;

would be of great value to the public, and which would not be published without Government aid, there would be nothing inconsistent in its undertaking to promote its publication by pledging itself to the purchase of a certain number of copies. Yet I am not aware of the hon. the Minister of Agriculture having made any such arrangement.

MR. MILLS: If the hon. the Minister of Agriculture has been doing business in this way we are anxious to know it; and there should be no objection to pass this motion. If the Government have been doing business with ambitious literary young men, and contributing liberally towards the financial success of their efforts, we should know it. When private individuals subscribe for works in advance, it is out of their own pockets; but Ministers subscribe with the public money, not touching their own salaries for the purpose, and, if the Ministers were employing men to write immigration pamphlets containing emigration advertisements, the people whose money is taken should know it.

SIR CHARLES TUPPER: I will illustrate my meaning by supposing that a gentleman like the mover of this resolution were to approach the Government with the statement that, after spending two or three months visiting a very important section of the country, which it was very desirable in its interests to bring prominently before the public, he was prepared to publish a pamphlet upon it, resembling the one he has published; in such a case I should favourably entertain the proposal of a gentleman who had established his claim so thoroughly to the attention of the public, and should approve of a certain amount of expenditure for that purpose.

MR. MASSON: If the Government had made a mistake in purchasing a pamphlet, before knowing its contents, it would be but following the example of the House itself, as the Library Committee ordered in advance 400 copies of a book that was to be published by Mr. Todd, our able Librarian.

MR. POPE: I hope the hon. gentleman will amend his motion, in the first place by not asking me to bring down what I have not got, and, in the second place, by asking for all the pamphlets, etc., published since 1875.

MR. KIRKPATRICK: I think we have a good precedent for the Government acting in the manner they have done. The hon. member for West Durham (Mr. Blake) will bear me out in saying that a Government in Ontario engaged a certain hon. gentleman in this House to write a book for them, and decided to pay him for it before knowing what its contents might be. I am sure the Dominion Government could not have been far wrong in paying a much smaller sum for a pamphlet in advance of a knowledge of its contents.

MR. TROW: No pamphlet, book, or paper of any kind or description that is not reliable should be circulated to encourage emigration. I have heard that the Government pamphlet advertises lands in Nebraska, Dakota and other parts of the United States, and, if so, it was not the place of this Government to encourage the circulation of such works. Government ought not to help to issue or circulate any publication without having been thoroughly examined and revised by the Secretary of the Department, and the contents should treat exclusively of our own country.

MR. BLAKE: The case to which the member for Frontenac (Mr. Kirkpatrick) refers was a case in which a gentleman was employed to compile information with reference to a question affecting the interests of the public. The cases to which allusion has been made in this discussion, or some of them, are cases in which works were prepared by persons not employed by Government, on the most conspicuous parts of which are advertisements of United States lands. I believe that 5,000 copies of one of those works have been purchased by the Government for distribution, with a view to promote immigration to the North-West Territories. This book contains flaming advertisements of lands in the Western States. It does not appear to be a judicious thing for the Government to circulate that kind of pamphlet.

MR. POPE: The hon. member for West Durham has not made much of that remark. I might go through every word of a pamphlet, and, as was the case in this instance, know nothing of what the publisher was going to advertise on the cover. The hon. gentleman opposite might do the same thing.



MR. BLAKE: I would not pay the publishers for their distribution, with such advertisements in them.

MR. POPE: I do not suppose he would. No money has been paid for it; and perhaps I would not either.

MR. BLAKE: If you had known enough.

MR. POPE: The hon. gentleman is the seat of all knowledge, and when I want to learn anything, I have only to cross the floor to him. I repeat there might be advertisements put at the end of the pamphlets of which we could know nothing, not having seen them. I saw the pamphlets published by the hon. member for South Perth (Mr. Trow) on the North-West, through which he travelled, and for which publication he may have pocketed public money. It no doubt contained great information, but people disposed to find fault might have quarrelled with it, perhaps, in some respects. It should have been shown to the hon. member for West Durham, who is a man of judgment in all things; his *ipse dixit* would be taken—nobody else knows enough.

MR. TROW: I understood the hon. the Minister of Agriculture to say I pocketed public money for my pamphlet on Manitoba. I defy the hon. gentleman to prove that I ever pocketed one cent, but on the contrary spent \$2,000 of my own money travelling in the North-West, purposely to gather reliable information to encourage immigration. I challenge the hon. gentleman to prove I received a cent from anybody.

MR. POPE: Amend your motion to include 1875, and we shall see whether you did or not.

MR. TROW: I do not object to amend my motion as suggested by the hon. the Minister of Railways. If the hon. member for Compton (Mr. Pope) desires to prove I pocketed public money, he can amend the motion as he pleases. I now pledge myself that I will give to the poor of this city \$2,000, if the hon. Minister can prove that I ever received or asked to receive one cent; further, I would not have taken it had it been offered me.

MR. POPE: The hon. gentleman need not put up the money. I will take his word for it.

Motion, as amended, agreed to.

MR. BLAKE.

## MAILS BETWEEN LONDON AND EVELYN POST OFFICES.

### MOTION FOR RETURN.

MR. OLIVER, in moving for an Order of the House for a return of copies of all correspondence between the Postmaster-General, or the officers of the Post Office Department, and Mr. John Burns, of West Nissouri, relative to the carrying of the mail between Evelyn post-office and the city of London, said: I would like to state to the Postmaster-General my reasons for making this motion. It appears that a tender was asked for by the Department for carrying the mails between Evelyn and the city of London, twice a week, and that Mr. Burns tendered for it. He received an answer to his tender on the 24th of December, 1879, stating that his tender, being the lowest, was accepted. He was to get \$115 a year for carrying the mail between these two points. He received, a day or two after, a letter from the postmaster of Evelyn, asking him to come to the post-office and sign the papers in connection with the service, but before that date he received a notice from the London office, dated the 2nd January, which was as follows:—

“I beg to advise you that the Postmaster-General has been pleased to cancel the acceptance of your tender for the Evelyn and London mail service, and to leave matters as they are for the present.”

I will not trouble the House by reading a copy of the letter sent by Mr. Burns to the Postmaster-General, asking for some explanation with reference to the cancellation of his tender, and to which letter he never received an answer. I know Mr. Burns personally. He is a man of high character; he was in the service some seven years previous to that time as postmaster and carrier of the mail, and discharged his duties, according to the general testimony of the neighbourhood, to the satisfaction of the public and the Department. What I want to know is why this tender was cancelled. Of course, the present Postmaster-General was not Postmaster-General at that time, but he must, nevertheless, be able to state to the House the reason for the cancellation of this tender. I know that Mr. Burns is an active and pronounced Reformer. I am sure that my hon. friend from London (Mr. Carling) or East Middlesex (Mr. Macmillan)

will endorse the statement I have made with respect to his political leanings. I want to know whether politics had anything to do with the cancellation of his contract. We have heard it stated time and again in this House that no discharges were made in consequence of political leanings, but, from what I know of this transaction, I believe the cancellation was made simply because Mr. Burns was a Reformer, and not because he was unable to perform the services required of him. Now, if this course is to be pursued, it is better for the Government to announce in the *Canada Gazette*, or through the public press of the country, that it is unnecessary for any Reformer to apply for any service under the control of the Government. That would relieve the Reformers of the trouble and annoyance of tendering for a service of this kind and having their contracts cancelled. I am confident the Postmaster-General will be able to state if my view of this matter is a correct one or not.

MR. O'CONNOR: It is quite evident the hon. gentleman had prepared a speech for the occasion, in order the better to make out a grievance. I am quite unable at present to satisfy the hon. gentleman's demand. I cannot say at present why it is the contract was not carried out. All I can now say is that the matter is under enquiry by the Inspector of the district, and, until his report is made, I am not able to give any answer whatever. In the meantime, I must oppose the motion of the hon. member for North Oxford (Mr. Oliver).

MR. MACKENZIE: Does the hon. gentleman mean to say that he refuses to produce a copy of these papers?

MR. O'CONNOR: I mean to say that, until the Inspector, who is now enquiring into the matter, and has all the papers before him, reports, it is impossible for me to answer the motion.

MR. MACKENZIE: The Inspector's report cannot alter the papers; he may deliver an opinion on the subject, and I can only say that, if the Government refuses to give copies of these papers, they will show that they are not able to defend their action in this matter. This is the first time in the history of this House that such papers have been refused.

SIR CHARLES TUPPER: I understand the hon. the Postmaster-General to say that the correspondence is incomplete, and he proposes to have it completed before it is brought down. I do not see any difficulty in allowing the motion to pass, with the understanding that so soon as the correspondence is completed it shall be brought down.

MR. ROSS (West Middlesex) moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

#### RAILWAY STATIONS IN LEVIS, BELLE-CHASSE AND MONTMAGNY.

##### MOTION FOR RETURN WITHDRAWN.

MR. LANDRY, on the Notice of Motion being called for an Order of the House for copies of all correspondence, petitions and other documents in relation to the construction or the repairing, as the case may be, of the railway stations at Etchemin and St. Jean Chrysostom, in the county of Lévis, of St. Michel, in the county of Bellechasse, and of St. François, St. Pierre, St. Thomas and Cap St. Ignace, in the county of Montmagny, said: The question I put to the Government this afternoon, and the answer thereto, cover part of the information I desired to obtain by the present motion. But the answer covered only the cases of St. François, St. Pierre, Cap St. Ignace, and St. Thomas. If the hon. the Minister of Railways would answer the other part of my former question, this motion could be allowed to drop.

SIR CHARLES TUPPER: I think I have some slight reason to complain of my hon. friend. He put a question on the Notice Paper, and my answer was that I would obtain the information and give it to him at an early date. I did obtain that information, but in the meantime he extended his question, and embraced several other things in it, of which he had given me no previous intimation. But I shall be glad to get the additional information for the hon. gentleman.

MR. LANDRY: The question as originally put embraced but four localities, but with the permission of the House I extended it the same day to other railway stations.

Motion, with leave of the House, withdrawn.

## ESQUIMALT AND NANAIMO RAILWAY SURVEYS.

### MOTION FOR RETURN.

MR. DECOSMOS moved for an Order of the House for a return containing a copy of all reports of surveys for a railway between Esquimalt and Nanaimo, with maps of the surveys and estimates of the cost of the railway, if any.

SIR CHARLES TUPPER: My hon. predecessor will remember whether a report or estimate was made of that survey. My own impression is that it was ordered, and was in course of execution, when, owing to the action of Parliament, the work was interrupted.

MR. MACKENZIE: I think there was not a full estimate, but a rough estimate, which showed the work to be a very expensive one.

Motion agreed to.

## PACIFIC RAILWAY LOCATION.

### MOTION FOR RETURN.

MR. DECOSMOS moved for an Order of the House for a return containing a copy of a memorandum of location of Canada Pacific Railway, 1879, by Mr. Marcus Smith; also, copies of the map of Canada Pacific Railway, 1878, accompanying report of Mr. Marcus Smith, acting Chief Engineer.

SIR CHARLES TUPPER: I shall be obliged to ask my hon. friend to leave out that portion of this motion which asks for copies of the map of the Canada Pacific Railway of 1878, accompanying the report of Mr. Marcus Smith. The Department took exception to a portion of that map, and did not feel justified in publishing it as a Government map. That was the action taken by the late Government, and by my hon. predecessor, and I believe it was taken on the ground that portions of the line of the Canada Pacific Railway, and a section of country covered by that map were exhibited as being of a very barren and sterile character, when so strong a statement was not warranted by the information in the possession of the Department. Other sections were represented as being of a very fertile and excellent character, which had not, in the judgment of my hon. predecessor, been sufficiently explored to warrant their being described in such terms. I may say that explorations carried on during the past season

have satisfied me that Mr. Marcus Smith was not correct in describing large sections of that country as being of a very inferior description, and the effect of the publication of this map would be to commit the Government to definite and explicit statements that I do not think the facts will exactly warrant. I have no doubt the map was prepared with a conscientious regard to what the gentlemen preparing it believed to be true. I do not feel sure, that I would be acting properly if I were to publish the map, as it would be published if it were to be brought down to the House. So far as the report is concerned, I think it was published *in extenso* by the former Minister of Public Works, and then the only objection was that the map which had been prepared to accompany it did not accompany it. I hope the hon. gentleman will not press the motion.

MR. ANGLIN: Do I understand the hon. the Minister of Railways to deliberately withdraw all he himself said at one time with regard to the conduct of the hon. the Minister of Public Works in this matter? Does the hon. member withdraw what, if I remember aright, he designated as the suppressing of a valuable map?

SIR CHARLES TUPPER: I can only say that I think the hon. member for Gloucester (Mr. Anglin) will find that he is entirely in error. I do not think he will find that I made myself responsible for an attack on the hon. member for suppressing valuable information. I certainly did not do so, if in possession of the information I now communicate to the House. I should be much obliged to the hon. member for Gloucester if he would show me the statement he refers to.

MR. MACKENZIE: I am quite sure, if the hon. gentleman himself did not make the statement, some of his friends did, and I am quite sure that newspapers all over the country did. I was represented as doing something very bad indeed by suppressing a map that would have given accurate information concerning the country. I know a very great injustice was done.

SIR CHARLES TUPPER: I do not think the hon. gentleman will say I was a party to that injustice.

MR. MACKENZIE: If the hon. gentleman says he was not I accept his state-

ment at once. I did not say he was. At all events the hon. gentleman has tonight frankly stated that he would have done the same under similar circumstances, and that he believes it was proper not to publish the map. I do not claim to have any knowledge of the country affected by the map, but I did think it a very serious thing to issue a map which gave, as I had reason to believe from enquiries I made, wrong information affecting prejudicially a part of the country which will, in my opinion, be one of the most valuable districts in the North-West. It was a very serious matter to allow that map, which was characterised in such strong terms by some of the principal officials in the Department as erroneous, to become public property and mislead emigrants and everyone connected with the Public Departments. I am very glad the hon. gentleman has vindicated my action in that respect.

MR. DECOSMOS: This map, it is claimed, covers the ground that was shown on a certain celebrated map that was sent to the Paris Exposition, that was prepared in the office of the Minister of the Interior, and exhibits the information gathered by the Chief Engineer of the period, Mr. Marcus Smith. Without wishing to deny what has been stated by the hon. the Minister of Railways or the ex-Minister of Public Works, I think it is but an act of justice to the acting Chief Engineer that this map should be laid before the House and the country; and if he is at fault the House and the public will be able to act as a jury, and show where he is at fault. His friends and sympathisers would be able then to discover that the Government is right and the acting Chief Engineer wrong. I regard it as a very small matter for the Government to withhold this map from the House, inasmuch as the railway route marked on this map is so highly spoken of in the report of the Chief Engineer of the Canada Pacific Railway, recently submitted to this House. I believe that if this map were placed alongside of the map of the recent explorations of 1879, that the two maps will be found to be very nearly similar. That being the case, I trust the hon. the Minister of Railways will withdraw his objection, and lay the map moved for before the House, and let the House

judge of its value. For my part, I think I should be doing an act of injustice to consent to the request of the hon. the Minister of Public Works.

SIR CHARLES TUPPER: I must then ask the House to sustain me, and I move in amendment that the words after "Mr. Marcus Smith," where they appear for the first time, to the end thereof, be left out. I need not detain the House further than to say that the Government are not prepared to become responsible for the publication of the map, and I cannot consent to bring it down, nor can I consent to allow a question between an officer of the Government and the Government itself to become a question of controversy by the House of Commons, while that officer retains that relation with my Department.

Amendment (*Sir Charles Tupper*) agreed to.

MR. MACKENZIE: Before the motion is carried, I desire to refer to a paragraph, which shows what passed upon this matter in 1878. The hon. gentleman who has made this motion, brought the subject up as a matter of complaint, that the map had not been presented to the House. The report is as follows:—

"Mr. MACKENZIE said there was a map in preparation with a view to arrive at as accurate information as possible as to the nature of the soil to be traversed by the railway from Lake Winnipeg westward. This map had been submitted to the Chief Engineer, who did not consider it correct, and therefore it would not be submitted to the House until corrected.

"Mr. TUPPER said he would call the attention of the hon. the Minister of Public Works to a statement contained in the report of the acting Engineer. This matter was of vital importance, yet the map to which he had referred as containing the information necessary to an accurate reading of the report of the acting Engineer had not been furnished. \* \* \* He trusted there was no necessity for suppressing the map, without which the report to a considerable extent was unintelligible.

"Mr. MACKENZIE said the hon. gentleman had no right to say the Government were suppressing anything. \* \* \* If the Chief Engineer said the map was inaccurate it was not to be depended on as any authority whatever."

That is all that passed at that time about the map, and yet, from the remarks of the hon. the Minister of Railways and Canals, the plain suggestion went out that the then Minister of Public Works was suppress-

ing a very important map, for some reason or other.

Motion, as amended, *agreed to*.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally *agreed to* :—

Address—1. Copies of all papers and documents in relation to the dismissal of Omer Allard, formerly employed in Her Majesty's Customs at the city of Montreal, Superintendent of tide-waiters and lockers ; 2. Copies of all charges and complaints in relation to the dismissal of the said Omer Allard ; 3. Copies of all informations and of all minutes of preliminary enquiry and examination before the Police Magistrate at Montreal, in relation to such complaints and informations ; 4. Copies of all Reports made to the Government in relation to the matter aforesaid by the said Police Magistrate, or by the Collector of Customs of the Port of Montreal ; 5. Copies of all Orders in Council passed and of all Orders given by the Government in relation to the said matter.—(*Mr. Vanasse*)

Order of the House—Copies of Engineer's reports of surveys made at Fifteen Point, Egmont Bay, Skinner's Pond and Kildare, in Prince county, Prince Edward Island, during the summer of 1879, with a view to making harbour improvements at said places.—(*Mr. Hackett.*)

Address—All petitions and correspondence asking the Government to make an appropriation for the improvement of beach and protection of harbour, Cape Negro Island, Shelburne county, and the report of the Engineer sent to that locality by the Department of Public Works, in the year 1879.—(*Mr. Robertson, Shelburne.*)

Order of the House—Statement showing the number of veterans who have participated in the sum voted by the Legislature in behalf of the veterans of 1812-15, for the current year ; also the number of deaths known to have occurred, and the number of persons as to whom no information has been received.—(*Mr. Mousseau.*)

Address—Copies of the report of the Engineer who performed the surveys at Carleton and at New Richmond, in the county of Bonaventure, with a view to the erection of piers.—(*Mr. Beauchesne.*)

Address—Copies of all surveys, engineers' reports, correspondence, memorials, papers and documents, having reference to certain contemplated improvements at the mouth of Belle Creek, in Queen's county, in Prince Edward Island.—(*Mr. Brecken.*)

Order of the House—Detailed statement of expenditures amounting to \$5,527.33, given under the head of "miscellaneous," in the Statement of Receipts and Disbursements by the Accountant of the House of Commons for the year ending June 30th, 1879, and the names of parties to whom payments were severally made.—(*Mr. Charlton.*)

Order of the House—Detailed statement showing the quantity of tobacco seized in the

county of Charlevoix, between the 1st January, 1877, and the 1st January, 1880, with the names of the officers who effected such seizures, the instructions to that effect given to such officers, the reports of such officers as to the number of pounds seized ; and what became of the tobacco so seized.—(*Mr. Perrault.*)

Order of the House—Return showing the receipts and expenditures charged to Consolidated Fund during the seven months ending 1st February, 1879 ; and also for the eight months ending 1st March, 1880.—(*Sir Richard J. Cartwright.*)

Order of the House—Statement showing, in so many separate columns, the names of the workmen employed in the construction of snow sheds the repairing of fences and the construction and repairing of buildings of any kind, on the section of the Intercolonial Railway extending from Lévis to Rivière du Loup ; the number of days for each workman, the amount of his wages, the amount paid, and the cause of any difference between the amount paid and the amount due.—(*Mr. Landry.*)

Order of the House—Copies of the report of the engineer who made surveys at Bay St. Paul, county of Charlevoix, with a view to the erection of a pier.—(*Mr. Perrault.*)

Address—Copies of the report of the engineer who performed surveys at Chaplan and at New Carlisle, in the Bay of Chaleurs, with a view to the erection of piers or breakwaters there.—(*Mr. Beauchesne.*)

Order of the House—Return showing a detailed statement of all amounts paid the Hudson's Bay Company by the various Departments since the transfer of their territory to Canada.—(*Mr. Dreu.*)

Address—All correspondence between the Government and the Hudson's Bay Company, in reference to the Company's claims for losses alleged to have been sustained by them during the Red River insurrection.—(*Mr. Dreu.*)

Order of the House—Return giving a complete list of all the applications yet made for timber limits in Manitoba, Keewaydin and the North-West Territories, showing the names and addresses of the applicants, and the limits applied for ; also, the action taken on such applications, and all the correspondence relating thereto.—(*Mr. Dreu.*)

Order of the House—Return of correspondence, copy of contract, if any, and all other information, in reference to contract given owners of tug boat *Sultan*, of Miramichi, last season, to do certain Government work ; showing the amount of said work the *Sultan* accomplished, how much was paid her owners, if they are at present putting forward any further claims, and how remainder of her work was done.—(*Mr. Snowball.*)

House adjourned at

Fifteen minutes after

Ten o'clock.

HOUSE OF COMMONS.

Tuesday, 9th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS PETITIONS.

TIME EXTENDED.

Resolved, That the time for receiving Petitions for Private Bills be extended four days from to-day.—(Mr. Robinson.)

BILLS INTRODUCED.

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

Bill (No. 63) To extend the powers of the Manitoba South-Western Colonisation Railway Company, and to further amend the Act incorporating the said Company.—(Mr. Schultz.)

Bill (No. 64) To authorise and provide for the winding up of the Consolidated Bank of Canada.—(Mr. Gault.)

Bill (No. 65) To amend the Acts respecting the Montreal Telegraph Company.—(Mr. Gault.)

Bill (No. 66) To incorporate the Quebec and Ontario Railway Company.—(Mr. Cameron, North Victoria.)

SUPPLY.

II. CIVIL GOVERNMENT.

SIR SAMUEL L. TILLEY: Mr. Speaker, before submitting my financial statement, I desire to move the House into Committee, in order to take a vote on Supply, and I ask my hon. friend opposite to consent to concurrence to-day, because it would be much more desirable to make the statement on the proposition to go into Committee of Ways and Means. They quite understand that, therefore I move that the House go into Committee of Supply.

MR. MACKENZIE: I do not propose to object to the proceeding, but it would have been better to have observed the regular rule and taken a vote before now.

SIR SAMUEL L. TILLEY: I quite admit that, but the circumstances were peculiar. I desired to follow that course, but owing to the serious illness of the Deputy of the Department, and other matters, I delayed it, and I therefore rather throw myself on my hon. friends opposite on the present occasion.

House resolved itself into Committee of Supply.

(In the Committee.)

2. The Governor-General's Secretary's Office..... \$11,000.

Resolution ordered to be reported.

House resumed.

(In the House.)

Resolution reported, read the second time and concurred in.

WAYS AND MEANS—THE BUDGET.

SIR SAMUEL L. TILLEY: Mr. Speaker, in moving the House into Committee of Ways and Means, I desire to make my financial statement. When I had the honour of addressing this House on the motion to go into Committee of Ways and Means, last Session, I took the liberty of calling attention to the different position I occupied on that occasion to the position I occupied as Finance Minister in 1873. I briefly referred to the fact that in the period referred to (1873) the country was prosperous, and the Treasury overflowing. Last year, when I made my statement, I had to admit that the Treasury was not overflowing, and the country was not so prosperous as we could desire. The Government realised at that time the difficulties they experienced in meeting the House under such circumstances. These difficulties were, however, diminished from the fact that the right hon. gentleman who now leads the Government had, when leader of the Opposition, submitted resolutions to the House of Commons affirming a certain policy which was at that time rejected by Parliament, but subsequently affirmed by an overwhelming majority of the people of the Dominion. In dealing, therefore, with the most important subject which could receive consideration—and difficult as it was, we felt we had behind us and in the country a sentiment in favour of the policy that we were about to submit—the difficulty was to prepare that policy, and arrange its details in such a manner as to make it not only acceptable to our supporters in Parliament, but to make it universally acceptable if possible to the Dominion. We experienced less difficulty than we would have under other circumstances, because all those points had been previously considered and discussed throughout the length and breadth of the country. But, as I have just stated, the difficulty was to harmonise the views and sentiments, not only of our supporters in the House, but of our friends out of the House, so that the proposals in their operation should not

bear unfairly or unjustly on any portion of the Dominion. Well, Sir, the Government applied themselves to this task, and we had the satisfaction of feeling, at the close of the Session, that there was a general concurrence of feeling in the House and out of it, that the members of Parliament had redeemed their pledges, that the Liberal-Conservative party had carried out its pledges, that the Government had fulfilled its pledges; and there was every reason to expect and hope that the policy was not only acceptable to our supporters but would be beneficial to the country. It will be our duty, presently, to consider how far our hopes and expectations in that respect have been realised. But, Sir, our difficulties were not confined to the question of the Tariff; they extended to the question of finance. Why, Sir, it was shown by the statements which were submitted to the House in the Public Accounts, that for three or four years there had been a steady decline in the revenue as compared with the expenditure, and that the deficiency had reached for three years preceding, and as we estimated for the fourth year, an average of \$1,750,000. It became necessary, therefore, for the Government to consider what steps could be best taken while they were carrying out their policy with regard to the advancement of the industries of the country, at the same time to increase the revenues of the Dominion. Our difficulties were not confined to the providing for the deficiencies to which I refer. The Government found that heavy engagements had been made by their predecessors for public works embracing a great extension of our canal and railway systems. They had entered into engagements for the construction of canals involving an expenditure of millions of dollars, which the present Government were bound to carry out and to provide the means for. In passing, I may remark, that I recollect perfectly well the time when the Government proposal to construct additional canals was submitted; it was not objected to by hon. gentlemen in the Opposition, because it was found that it was then deemed advisable and necessary that employment should be given to the people, thousands of whom were idle; and it is rather a striking commentary on the present state of af-

fairs, that at the present day you do not hear, notwithstanding we are told that great depression exists, any proposition coming from either side of the House to construct public works, solely or largely, to give employment to unemployed people. But such was the case, and such engagements were entered into. Proposals had been made by our predecessors; contracts had been entered into involving a large expenditure for the extension of the railway towards Nipissing; for works west of Red river and east of Winnipeg, and for the completion of the Pembina Branch; and tenders had, moreover, been asked for 120 miles of railway in British Columbia. All these engagements required large sums of money, and added largely to the annual interest; therefore we had not only to provide for a deficiency of two millions a year, as was then estimated, but we had to look forward to an increased expenditure in the shape of interest on the Public Debt, amounting to from \$400,000 to \$500,000 a year. It was under these circumstances that the Government, having to assume heavy engagements, were called upon to give the subject our most careful consideration. Difficult as was our position at that time, the difficulty was increased from the fact that the late Administration had so arranged the expenditure for the Pacific Railway that to make it effective it became necessary that a very expensive link should be completed, in order that we might have the advantage, with the least possible delay, of the money which had already been expended. It became necessary for the Government at once to undertake the work of building 180 miles of railway, to connect the head of Lake Superior with Winnipeg, a most expensive public work; and it was not only our duty to put it under contract at once, but to stipulate that it should be completed with the least possible delay, in order that the expenditure on the works already carried out should be made effective and beneficial, and that the country might be opened for settlement and development. Well, sir, what did the Government find in addition to that? In addition to the providing for the construction of the roads named it was deemed necessary to add to our expenditure, and with the least possible delay, by providing for the

building of 200 or 220 miles west of Winnipeg, in order that, when the road was opened from the head of Lake Superior to Winnipeg, we should have the fertile country west of Winnipeg open for settlement, so that we might have the advantage and benefit of the expenditure so far made. As you will understand, Mr. Speaker, these new works involved a large additional outlay, and I may say we feel that in making it we have acted in accordance with the wishes and opinions of our friends in and out of the House, whose desire in common with that of the whole people of the country is that the North-West may be opened up, and that the old portions of the Dominion may derive the benefits, direct and indirect, of its development. Sir, if the Government could have had their own way in the matter, apart from other considerations, they would have desired that the expenditure on public works, chargeable to capital, should not have exceeded five or six millions a year; but, under the circumstances which I have related, engagements had to be met which will involve, perhaps, the expenditure of twelve millions during the current year, and twelve or thirteen during next year. The House will understand, under these circumstances, that our difficulties are great, and that they are not diminished by the fact that we have to provide, not only for this large expenditure, and for the deficiency of two millions a year, but for a sum largely in excess of two millions. Sir, if the deficiency in the last year had only been what was estimated, our difficulties would have been less to-day than they are. I desire, Sir, in order that we may understand this matter fully, in order that our position with reference to the expenditure of the current year and of next year may be fully understood, to state that the deficiency of the last year, instead of being two millions—when we take into account the fact that under the expected change in the Tariff we received in that year property belonging to this \$700,000 of Customs more than we would have received had it not been proposed to change the Tariff, and that we also received \$600,000 from Excise for the same reason—was \$3,400,000 instead of \$2,100,000.

Mr. MILLS: Hear, hear.

SIR SAMUEL L. TILLEY: A gentleman opposite says "Hear, hear." I may explain upon what basis I make that statement to the House. In the first place, let me call the attention of the House to the estimate submitted by the late Finance Minister as to the receipts and expenditures for 1878-79. The hon. gentleman estimated that the receipts from Customs would be \$13,750,000; and the receipts were \$12,900,659. I stated that experience has shown that \$700,000 of that was received as the result of the large importation of February and March of last year, and properly belongs to this year, and would not have been received had there been no prospective change in the Tariff. The Excise receipts were estimated by the hon. gentleman to be \$5,250,000. They were \$5,390,763. It is now clearly established, Sir, that had there been no proposed change in the Excise duties, \$600,000 less would have been received during that period, that should be credited to this year. The hon. gentleman estimated the receipts from bill stamps at \$250,000; they were \$188,000. He estimated the receipts from the Post Office Department at \$1,200,000; they were \$1,172,000. He estimated the revenue from Public Works and Canals at \$1,900,000; it was \$1,863,149. The interest on investments he estimated at \$800,000; the receipts were \$592,800. The receipts from all other sources he estimated at \$700,000; they were \$412,700. The estimates as a whole amounted to \$23,850,000; the receipts were \$22,517,380. Deduct from that the \$1,300,000 on imports and Excise, which would not have been received had there been no prospective change in the Tariff, and the receipts would have been \$21,217,380. Now, then, in reference to the expenditure. The estimated expenditure was \$23,669,073; the actual expenditure reached \$24,455,381. Of this expenditure, I may say that there was an under-estimate for interest of \$285,891. This is, of course, a charge provided for by law, but the payments under this head were \$285,891 in excess of the estimate. There were also the following under-estimates:—Charges of management to the extent of \$92,180; on sinking fund, \$146,992; on election expenses, \$62,757; on pensions, \$5,323;



on superannuations, \$3,521; on subsidies, \$21,901; and the Supplementary Estimates, \$627,000. I do not know that the hon. member desires me to give the details of the increased interest, but I hold a statement of it in my hand, showing it to amount to \$285,000. But I may say here that, while the expenditure reached, as I stated, \$24,445,381, the lapsed balances, as will be seen by the statement laid on the Table of the House at the request of hon. gentlemen opposite, amount to about \$700,000. Had the \$742,938 of lapsed balances been expended by the present Administration, the deficiency would have been \$4,161,866. But I do not purpose, Sir, to charge hon. gentlemen opposite with the amount unexpended, because we know that there are always lapsed balances.

MR. ANGLIN: Hear, hear.

SIR SAMUEL L. TILLEY: The hon. member for Gloucester says "Hear, hear." It is quite clear, Sir, that the deficiency, if it had not been for the \$1,300,000 that was received as a result of the changes in the Tariff and the largely increased revenues in the Customs and Excise during January and February, would have been \$3,482,917. But, Sir, it will be quite readily understood, I think, that, under these circumstances, while we were basing our calculations for the future upon a deficiency of \$2,000,000, we practically had to deal with a deficiency of over three millions of dollars, and it will not be surprising if our expectations with reference to the balances of the current year, based on a new estimate, which I purpose submitting, will be found not to be entirely realised. Sir, it means not only an increased expenditure for the current year of over a million on this basis, but it means an increased expenditure of a million a year for future years. We must necessarily see, in making our calculations for the future, whether we can possibly, with the greatest economy, make the two ends meet. There may be some criticism with reference to the expenditure for which Supplementary Estimates were asked last year I have gone into the different items of which they were formed, and I find that they contained items amounting to about \$100,000 in all, for which the present Government are responsible. I know

hon. gentlemen opposite may say: "You asked in that vote for an additional sum for railways." We know, Sir, that the expenditure for the Intercolonial Railway for that year exceeded very largely the estimate by our hon. friends opposite; but, Sir, that additional expenditure cannot be charged upon the present Administration. The deficiency on that public work reached \$700,000 during last year. The deficiency during the first six months amounted to \$380,000; so that the deficiency during the first six months of the year, for which hon. gentlemen opposite were mainly responsible, and during the other six months, for which they were partially responsible, was in the main the result of their administration. Therefore, if we examine this matter with the view of ascertaining how far we were right or wrong in regard to this proposition, it will be seen, I think, very clearly, that the expenditure, at all events, for which our hon. friends opposite were responsible, would have left a deficiency of at least three millions instead of two during that year. I now come to the consideration of the expenditure for the present year. I have prepared a revised statement of the revenue and expenditure, having regard to the experience we have had down to the present time. I estimated, last year, that we would probably receive during the present year from Customs \$14,000,000, exclusive of, as I stated then, an estimate of \$500,000, which was collected in February and March, and which fairly and legitimately belongs to the present year, but which at the close of the year was found to amount to \$700,000 instead of \$500,000. I now am firm, Sir, in the opinion that, apart from that money collected last year that belongs to this year, the receipts from Customs will be, as estimated, \$14,000,000 for this year. It has been said that the revenue up to the 1st of January does not warrant such a conclusion, but, if we will examine the amount received from Customs up to that period, and add to it even \$500,000, our original estimate, we shall find that it is very nearly half the \$14,500,000 estimated for the whole year, and, when we take into consideration that we have probably consumed, or that there have been thrown upon the market the goods that paid the duty last year and belonging to this, we may fairly expect during the

SIR SAMUEL L. TILLEY.

last six months of the present year to realise a sum equal to that received during the first six months, \$7,250,000. I may also state, from the returns made up every ten days, that we received during January and February and the first five days of this month, \$450,000 more than we received during the same period in 1878. This, Sir, goes to show very clearly that we have consumed the goods that were brought in last year, and that we shall, during the balance of this fiscal year, have increased revenues to an amount sufficient to meet the sum estimated by the Government. The estimate we now make for Excise, based upon experience to the present time, is \$4,500,000, to which is to be added \$600,000 that was received in last year, but which properly belongs to this, and we have \$5,100,000. This is not as large as the amount estimated this day twelve months. I recollect perfectly well that hon. gentlemen opposite took exception to my estimate, that we would receive from the additional 10c. per gallon on spirits \$100,000. That is the only item in the revenue that shows a falling-off down to the present time. It may be that the hon. gentleman was correct as to the causes which have led to that reduction, but I am disposed to take a different view, and have arrived at the conclusion, Sir, that it is caused by a decreased consumption of spirits, whether it may be from the increased duty, or from the fact that the habits of the people have changed with reference to the use of this article; but, under any circumstances, I believe that it will be considered by a very large proportion of the people that, if, by an increase of the duty, the consumption has been diminished, the change was justified; this is the item of all others in which they would desire to see a reduction, and one the falling off in which will not cause much regret. It was estimated that the Post Office would yield \$1,200,000, and we entertain that opinion still. In the Public Works, it will be found that we estimate an increase of \$50,000 over the estimate of a year ago. That arises from the fact of our taking possession of the Pembina branch of the Pacific Railway. It will be found from the Estimates now before the House, that

we have asked Parliament for \$50,000 for the management of that road. But, while we have increased the expenditure to that extent, our increased revenue will be in proportion. With reference to bill stamps, our estimate is \$200,000. On interest on investments it will be found that there is an increase arising in this way. From the loan which was obtained in England last year, and from the moneys which were subsequently obtained from 5 per cents of the Dominion of Canada, we had more money than was required for the current year, and held over at the present moment for the payment of liabilities due on the 1st of July next, and bearing interest; and, therefore, the interest we are receiving on that money, so held, will probably amount to \$200,000—though I have stated the amount at only \$150,000—over and above what was estimated. So that while the interest account on the debit side has increased, we have also an additional sum to place to the credit side of the account. Of all other revenues, it was estimated that they would amount to \$700,000, and, from looking at the returns of last year and the returns so far in the present year, I think it is very probable that that item will not exceed \$600,000, making the estimated receipts for the current year \$24,450,000, against a previous estimate of \$24,200,000. We now come to the estimated expenditure. It was stated last year that it would reach \$23,869,262. The Supplementary Estimates show that, after deducting the vote for items belonging to last year, after deducting the items chargeable to capital, the Supplementary Estimates for the current year, chargeable to income, amount to \$858,922. They are made up in part by \$100,000 for the relief of the sufferers in Ireland; \$201,000 for the relief of the Indians, who were in a starving condition; \$97,500 expenditure on public buildings in St. John more than was voted by the House; \$50,000 for the running expenses of the Pacific Railway; \$42,000 for repairs to canals and other items, making in all \$858,922. Then, Sir, we come to the under-estimates in interest. I have to call attention to the fact that the probabilities are that the interest account of this year will exceed the estimate by \$660,000. This increase was caused in this

way: I stated a few moments ago that the under-estimate of 1878 for interest was \$285,891, and the basing of the estimate of the current year upon the estimated amount of interest for last year led to an error to that extent in the estimate for the current year. The error of the last year occurred in the following way: the late Government probably estimated on a loan of £2,500,000 instead of £3,000,000, which would make a large difference. The 6 per cent. stocks that matured last year and were payable by the Government on six months' notice, were probably estimated by my predecessor at 5 per cent., and as notice was not given, the result was that those securities paying 6 per cent. were only redeemed in December or January last, and this made a difference of \$40,452. The sale of 5 per cent. stocks was estimated below what was sold during the year; and then there was paid to our financial agents in London, \$24,293; to Morion, Rose and Company, for interest on temporary loans made by my predecessor, amounting to £500,000, the sum of \$47,893; and to the Bank of Montreal for temporary loans on general account (which contained a loan of £500,000), \$64,472; interest on seigniorial indemnity, \$25,193; a difference in the amount of the estimate of deposits in the Savings Bank during the year of \$7,533. 47, making altogether \$288,891.87 of an under-estimate. As our estimate of this year on interest account was based on that estimate, we had as the result a large under-estimate under that head of \$280,000 and odd dollars. Then, Sir, during last year a new loan was necessary. There were 6 per cent. debentures for £400,000 sterling, falling due in England on the 1st January—£600,000 in addition to these falling due on the 1st July next. There were also the \$4,000,000 of 6 per cent. securities falling due in Canada, of which the Government gave notice in May last that they would, at the expiration of six months, either pay them or substitute 5 per cent. securities for them. The expenditure on Capital Account of the present year must amount to something like \$10,000,000. It was therefore decided that a loan should be negotiated, not only for the purpose of the payment of the 6 per cent. liabilities falling due in England, but that we should

also be in a position, in the event of the parties holding the securities in Canada, asking for money, instead of their accepting 5 per cents in lieu thereof. A loan of £3,000,000 was therefore placed on the market, though the money was not immediately required, as the time was considered a favourable one. This left the Government with a large amount of money for the time being, a considerable portion of which is now deposited in the banks of the Dominion, bearing from 3½ to 5 per cent. interest. So we have an offset of \$250,000 on the credit side to meet additional charges for interest. This swells up the interest account \$250,000 above the Estimates. The whole expenditure estimated for the current year, from the Estimates now on the Table of the House, is \$25,478,000. The expenditure on the Intercolonial Railway will, however, be \$300,000 less than the estimate, the fact being that, during the first six months of the last year, there was a deficiency of \$380,000, and the returns show that for the first six months of the current year the deficiency is but \$34,000. Under these circumstances, we are prepared to state that the expenditure will be reduced for the maintenance of Public Works \$300,000 less than the estimate, and that the lapsed balances, which are generally large, may be fairly estimated at \$200,000, making a deduction of \$500,000, leaving the estimated expenditure of the current year at \$24,978,000, against the first estimate of \$24,450,000, or \$500,000 of an estimated deficiency. Now, when it is considered that the deficiency of last year, had it not been for the exceptional circumstances I have named, would have been over \$3,000,000, and we are enabled to show in the present year a deficiency of but \$500,000 or thereabouts, I think that under those circumstances, and in view of the fact that, if our predecessors had estimated correctly the interest for the previous years, the result would have been that our Estimates would have been very nearly realised, we can justly claim that, in the first year of our Administration, our income and expenditure are not far from being balanced. I will now call the attention of the House to the estimated income and expenditure of next year. It will be seen by the estimates of next year that the expenditure is

placed at \$25,007,203. The estimate is as follows:—Customs, \$15,300,000. On looking into this matter very carefully, it is considered by the Government that, in view of the increased prosperity in the country, in view of the increased prices of articles to be imported, the amended Tariff, the changes in which are not made for revenue purposes, will produce an increased revenue of \$600,000. We expect to receive from Excise, \$5,213,000. In referring to the resolutions I am about to submit to the House with reference to Customs, it will be found that upon careful consideration we cannot count on any increased revenue from the proposals to be submitted. I will leave that question until I read them in detail, when hon. members will be able to judge for themselves. In reference to Excise, a proposition will be made to the House that will probably add \$200,000 to the income from that source. It is proposed to grant licenses to manufacture Canadian leaf tobacco, and that an Excise duty of 14c. instead of 20c. per pound will be imposed. With reference to Public Works, including railways and canals, it is estimated that we will receive \$2,286,000 during next year. The Estimates contain an additional appropriation for railways not beyond what was asked for during the present year, it is \$160,000 less; but there is \$200,000 required for working the Pacific Railway, and the Minister of Railways assures us, and the evidence to which I have referred warrants him in making that statement, that during the next year the income from these public works will be equal to the expenditure, and it will be found that in the estimated income we placed a sum equal to the estimated expenditure. Bill stamps will bring \$208,000; interest on investments \$600,000; and Post Office \$1,210,000. I will observe here that the interest on investments—\$600,000—is \$250,000 less than estimated for the present year, for the reason stated, that the sums of money that have been loaned and are now at interest, will be used in paying off certain liabilities, and the result will be that our income from investments will be \$250,000 less next year than during the present year. From other revenues we expect \$700,000, making an estimated revenue or income for next

year of \$25,517,000. If our expectations are realised in this matter, it will appear, Sir, that our pledges will have been redeemed, and the equilibrium between revenue and expenditure will have been restored, and there is a very good margin, indeed, which justifies us in arriving at the conclusion that such will be the case. I take this opportunity of making the statement that we expect to provide for the expenditure on Capital during the next year partly by the balances we now have on hand. As shown by the return made to the House, out of the thirteen millions four millions have to be paid for the redemption of debentures on the 1st July next. Five or six millions will therefore be available for expenditure under the heading of Capital Account during the next year, leaving over three millions as a reserve; and the Government propose to submit for the consideration of the House a proposition to extend the authority already given with reference to the issue of Dominion notes. The Government propose to ask that the amount now fixed, beyond which a note cannot be issued, unless we hold dollar for dollar in gold, shall be extended from twelve millions to twenty millions of dollars, and the Government will place whatever proportion of that twenty millions they may find it in the interest of the country, in circulation. Twenty-five per cent. of the circulation will be held in gold and guaranteed Dominion securities, not less than 15 per cent. to be in gold. That will be the proposition that the Government will ask the House to support. That will enable us, with the amount of gold that will be released and three or four millions additional circulation added to the five or six millions we have now on hand, to dispense with any necessity to go into the English market to provide money for next year's expenditure. We will be able to secure whatever the deficiency may be from the capitalists of the Dominion, at such a rate as will be satisfactory to the country. These are briefly the proposition that we submit with reference to income and expenditure during the periods to which I have referred. If there are any further details I will not detain the House now to go into them, but will take an opportunity to do so later on. I desire to trespass on the attention of the House

for a short time in dealing with the objections that were made last Session, and may be made again with reference to our Tariff policy. I ventured, when submitting that policy, to remark that the resolutions were not aimed specially at any particular country; still as British subjects, owing allegiance as we do to the great Empire of which we form a part, it was designed in the preparation of our Tariff that if we favoured one country more than another, it would be Great Britain. I recollect, and the House will recollect, the objections that were made by hon. gentlemen opposite, and the effort that was made to prove that the Tariff then submitted would operate more injuriously and affect more especially the manufacturers of Great Britain than those of the United States.

SIR RICHARD J. CARTWRIGHT: Hear, hear.

SIR SAMUEL L. TILLEY: Do I hear the hon. gentleman opposite say "hear, hear?" Then, Sir, we will have an opportunity of discussing this matter fully. Some gentlemen, out of Parliament, and through the press, have made various statements upon this matter, but here on the floor of Parliament, where we can bring up facts on both sides, we can arrive at a just and accurate conclusion on the subject; and while we could only speculate last Session with reference to these effects, time has shown, and the evidence lies upon the Table of this House, that instead of its operating to the disadvantage of British manufacturers, as compared with those of the United States, it has borne less heavily and affected them less than the manufacturers of the neighbouring Republic. I have made an abstract from the comparative statement of the Trade Returns for six months. The return submitted to the House represents the imports of the last six months, that is, from July to January, in the present fiscal year, compared with the first six months of the last fiscal year; and it is from these returns that we are able to draw some conclusion, and, I trust, accurate conclusions with reference to the effect of this Tariff. These returns show that the importations of iron and steel manufactures from Great Britain, in 1878, under the head of "free goods," amounted to \$961,672. Under the head of "free

goods," this year, they amounted to \$1,599,182. Under the head of dutiable, last year, the imports amounted to \$1,491,867, and this year to \$1,688,614. The dutiable goods bearing an average duty of  $17\frac{1}{2}$  per cent., there was a large increase, an increase of \$800 in the imports from Great Britain under that head (Steel and Iron) in the first six months, and in 1878 the imports from the United States under the free list was \$148,874, and in 1879, \$169,913. Under the heading of dutiable goods, last year, they were \$1,725,000, against \$1,288,000 in the present year, showing an increase in one case of \$21,000, and a falling off in the other of \$500,000. Under the heading of cotton goods, as shown by the return, in 1878 the imports from Great Britain amounted to \$1,824,921, in 1879 to \$2,089,812. From the United States, in 1878, for the six months, the imports were \$1,126,000; in 1879, \$745,000. This shows a large increase in the imports from Great Britain, and a falling off of nearly \$400,000 from the United States. In glassware the imports from Great Britain were, in 1878, \$76,246, and for 1879, \$95,440; from the United States, \$215,000 in 1878, and \$180,000 in 1879. Leather manufactures from Great Britain in 1878, \$187,000; 1879, \$227,000. From the United States, in 1878, \$332,735, in 1879, \$225,808. Under the head of sugars, the imports from Great Britain in 1878 amounted to 19,173,000 lbs.; in 1879, 9,964,000 a falling off of one-half. From the United States, in 1878, the imports were 38,000,000 lbs., and in 1879, 11,500,000 lbs. From the West Indies, in 1878, 4,728,000 lbs.; in 1879, 37,800,000 lbs. The imports of tea from Great Britain, in 1878, were 2,056,000 lbs.; in 1879, 3,201,000 lbs. From United States, in 1878, 3,516,000 lbs.; in 1879, 1,400,000 lbs. From China and Japan, in 1878, 575,000 lbs.; in 1879, 1,515,959 lbs. Wood manufactures, such as cabinetware, from Great Britain, in 1878, to the value \$5,700; in 1879, \$3,258. From the United States, in 1878, first six months, \$154,000; same period in 1879, \$46,800. Other woodenware—Great Britain, 1878, \$5,000; in 1879, \$20,000. From United States, in 1878, \$201,000; in 1879, \$199,000. Experience during the first

six months with respect to the imports from these two countries shows this: that the falling off in the value of imports from Great Britain in free and dutiable goods amounts to 7 per cent., while the decrease from the United States was 33 per cent. Then it was asserted that the Tariff would act unfairly on the English manufacturers, and subject them to a large proportion of the increased percentage. By referring to the tables it will be found that the increased rate of duty upon free and dutiable goods, imported from Great Britain during the six months of the present year, was 19.43 per cent., against 19.9 under the old Tariff of 1878; and that the percentage from the United States, omitting as is proper, from the consideration of this question, the foreign goods that were imported but were also exported, but were entered last year for consumption, because there were no duties imposed on them, the percentage of increase has risen from 12 per cent. in 1878 to 15.3 per cent. this year. In the one case there is but an increase of  $\frac{1}{4}$  per cent., while in the other there is an increase of 3 per cent. on the average duty collected on those goods. I know hon. gentlemen will very naturally ask how it can be possible that with the increased duties imposed upon British goods the rate of duty has only been increased  $\frac{1}{4}$  per cent., but we must take into account the fact that the sugar that was imported last year was double that imported this year, and paid forty-two per cent. What I say with respect to English imports has double effect when applied to the United States, because we imported from them under the same rate of duty double the amount of sugar we imported from Great Britain, and if we had imported the same quantity in this year it would have given the increase in the same ratio, and have made the difference 4 per cent. instead of 3. These facts go to show that, while the object, design, and intention of the Government was not to legislate directly against any particular country, but in favour of Canadian interests, the effect of the Tariff has been to diminish less the importations from Great Britain than from the United States. The next objection to the Tariff was that it would increase the cost of goods and give us no revenue. The hon. gentleman opposite (Sir Richard J. Cartwright), speaking on this point,

said that, if the policy of the Government succeeded, if an additional impetus were given to the industries of the country, the Tariff would not produce the revenue that was proposed, and he was good enough to venture the statement on that occasion that the effect of the Tariff would be to increase the cost of goods to the consumers by six or seven or eight million dollars. You see, Mr. Speaker, that he left something of a margin, but what the effect has been is quite clear. The returns show that the increase of the Tariff upon imports has been  $4\frac{1}{4}$  per cent. more than it was before. We had a revenue of twelve millions from imports, and if you add one quarter additional to that you do not get six, seven or eight millions, scarcely the half of it. But the statement was made that the Tariff would enrich the manufacturers and impoverish the masses. On the other hand, the hon. gentleman opposite said, in order that he might be safe in his predictions, whatever might be the circumstances, that by-and-bye the manufacturers themselves would be impoverished, and that the whole country would be in a worse position than ever before. An hon. gentleman opposite, anticipating the discussion of this question, said the other day, and I think it was the leader of the Opposition, that half the manufacturers of Canada are dissatisfied with the Tariff.

MR. MACKENZIE: Hear, hear.

SIR SAMUEL L. TILLEY: Well, I have not seen half the manufacturers of Canada, but I have seen a great many of them. Knowing what would be said on the floor of the House, judging from what has been said in the past, I felt it my duty to ascertain from personal observations, as far as our manufacturing industries were concerned, what the effect of the Tariff had really been; and in my intercourse with the manufacturers, I will not say that there were no objections made to the operations of the Tariff. Were I to say so, I would be stating what is not true; but what I do assert is that, on the whole, the manufacturers express themselves satisfied with the Tariff, and if I had not found some objections to some of its provisions, I would have concluded that it had been framed too much in their interests, so that the very fact

that they objected to some clauses led me to the conclusion that, on the whole, though there might be some slight amendments to the Tariff necessary, we were accomplishing the objects we had in view. Sir, as the discussion proceeds on the different items—because we will have as free and as full a discussion as we had last year—we will be in a position to examine into the operation of the various clauses of the Tariff, and more intelligently than last year, because we have had the experience of some months of its working. I have known that where railways have been constructed there have been particular localities which, from exceptional causes, have been injured; and so I am prepared to hear that hon. gentlemen opposite have found some point with reference to the working of the Tariff that will be a parallel to such cases as I have referred to; but who on that account would abolish our railway system? I am satisfied, from my own observations and from what I know in the matter, that the result of the Tariff has been such that there will be no declaration of this House, or on the part of the country, in favour of a change in the general policy of the Government. Sir, we will no doubt have it said by the gentlemen of the Opposition that the increased cost of certain articles has been caused by the increase of the duties, but I have here evidence, to show, with reference to the leading manufacturing interests of the country, that, beyond the increase in the cost of the raw material to the manufacturer, the people pay nothing more under this Tariff than they would have done under the old. I believe, Sir, that that can be established beyond a doubt, and, under the circumstances, I look forward to the discussion on this subject not with any dread, but with a degree of satisfaction, feeling that the facts we can present will be most satisfactory to the country and to the friends of the National Policy. It was also said by gentlemen opposite that this policy would create an unfriendly feeling in England towards Canada. It is true, Sir, that, when we were there last summer, mingling with men in the manufacturing districts, we found expressions of disapproval with reference to our policy.

It was to be expected, because, owing to the position and the circumstances of that great nation, it has been led to adopt a different policy. Looking at us from their standpoint, the manufacturers there believe that our policy is unwise and injudicious; but have we had any evidence, has anything recently transpired to show that the attachment of the people of England and their regard for Canada and Canadians has been diminished by the enactment of this Tariff? Has there ever been in the history of this country a period when Canada has been looked to with greater interest by the people of Great Britain and Ireland than at this very moment? I think a distinguished member of the British Government can claim some acknowledgments from this country for the course he has taken in calling the attention of the people of Great Britain to Canada. We on our part have shown by the liberal vote given so recently by this House, that we are not only in a position to give employment and comfortable homesteads to the thousands and tens of thousands of working men who cannot find work over the water, but that we are prepared to extend to them a helping hand in the hour of their adversity. Sir, I think, if at any period Canada stood well on the other side of the Atlantic, that period is to day. But, Sir, the statement was made that the course we have taken would affect our credit in England. What evidence have we that it has affected our credit except favourably? When it became my duty to visit England last summer, and to ask the capitalists of that country to take another three millions of our 4 per cent. unguaranteed securities, there were paragraphs in the papers, which may have originated with speculators; and not with our political opponents, decrying this loan; and when the time for the reception of the tenders came, there were very grave doubts expressed with reference to the chances of obtaining the minimum that was named, because it was 4 per cent. higher than had ever been named by any Finance Minister before. And yet, Sir, in the face of this alleged damaged credit, we obtained for that loan \$700,000 more than my hon. friend opposite obtained for his loan of the same kind in 1874.

We obtained, if I take the books of the Dominion of Canada to show the net results from the different loans, \$600,000 more than my hon. friend obtained for his loan in 1876. My hon. friend may rise in his place and say, as he said in the west, that Mr. Tilley was in England at a most favourable time; money never was so low; money never was so cheap; that I was the most fortunate man in the world. Well, Sir, I admit that, to a great extent, to be true; but I recollect perfectly well that my hon. friend opposite, last Session—not in the fair manner that, I think, he ought to have acted—referred to the loan I negotiated in December, and in his attempt to show that the unguaranteed portion of that loan only brought 86 per cent., he based his argument on the statement that Sir John Rose floated a guaranteed loan that brought 110 per cent., and the 5 per cent. portion of which brought but 90 per cent.; and the hon. gentleman made that statement for the purpose of showing, though his comparison was an incorrect one, that I had obtained only 86 per cent. Then the hon. gentleman followed his statement up by saying that in the *Economist* published a few weeks previous to the date of which he was speaking, he found our securities quoted at 92 $\frac{1}{4}$  or 92 $\frac{1}{2}$ , while New South Wales 4 per cents netted 99 $\frac{2}{3}$ ; and the hon. gentleman was kind enough to say that he had the *Economist* in his desk, and would hand it to me, if I wished. Now, Sir, I have in my desk the *Economist* of the 24th February, and will let the hon. gentleman have the use of it; and what does it show? Not that the exceptional circumstances referred to produced such favourable results. According to his own statement, the difference between our securities and those of New South Wales was 7 per cent. The last quotations, those in the *Economist* of the 24th of February, quote the Dominion of Canada 4 per cent. securities at 96 $\frac{1}{2}$  to 97, while those of New South Wales were 98 $\frac{1}{2}$ , whereas a year ago, there was, according to the hon. gentleman, a difference of 7 per cent.; that difference is now reduced to 2 per cent. Sir, when we consider the relative position of the securities of Canada today, compared with those of New South

Wales, which stands ahead of every other British Colony, we find that there has been an advance of 4 $\frac{1}{2}$  or 5 per cent. in the value of our bonds, compared with those of the Colony referred to, which proves that the policy of the Government of the Dominion has certainly not damaged our credit abroad. Sir, there was another statement made, and I hold that it was one of the gravest and most serious statements made during last Session with reference to this Tariff—and what was that statement, Sir? It was that this Tariff was framed in such a way that it would bear more heavily upon certain provinces of this Dominion than upon other provinces, that it would affect certain provinces unfavourably and would lead to the breaking up of this great Confederation. Sir, my own Province was singled out as the Province of all the provinces that was to suffer by the policy of the Government. Sir, I have endeavoured, during the time I have been a member of this House and of the Government, to refer as little as possible to provincial questions, or to matters of purely local consideration. But when, Sir, that idea has been persistently propagated, when the Opposition have unremittingly endeavoured, by their declarations with reference to the effect of that policy, to create dissatisfaction in the Provinces of the Dominion, when for the purpose of striking a blow at the Minister of Finance, they have sought to damage the credit, reputation and standing of the people of that Province, I feel that I am justified, independent of local considerations, to make some reference to the bearing of this Tariff, and its effect upon New Brunswick. Sir, that Province has passed through great trials and great difficulties. Two-thirds of the commercial centre of that Province was destroyed by fire, two years ago. Some fifteen or sixteen millions of dollars worth of property over and above what was insured was swept away in a night. The lumbering interest of that Province for two or three years has been very much depressed, and the shipping interest has not been remunerative as it was in days past. The partial failure of these two industries, in which a large portion of the people of that Province are engaged, and



in which their capital is largely embarked, together with the great disaster to which I have referred, deranged the business and trade of the Province; and a good deal of depression, a good deal of suffering, has followed in its wake. It has been attempted to be shown that the bankruptcies of that province have exceeded those of any other province, and I was surprised to find the attempt made to attribute these bankruptcies to the operation of this Tariff. I will say here, and I think without fear of contradiction, that there are not more than two cities in the Dominion, taking into consideration population and the amount of business done, that have had fewer failures and fewer bankruptcies than the city of St. John. The hon. member for Gloucester (Mr. Anglin) rose the other night, in anticipation of this discussion, and, in speaking of the condition of St. John, he made a statement which was true, but of a misleading character. He said that in 1877 there were more men employed in the city of St. John than there are to-day; that they were receiving larger wages than then they are to-day. Now, I agree with the hon. gentleman that it is the fact, but he should have gone on to say that the great fire took place in 1877, that two-thirds of the city was destroyed, that thousands of mechanics and labourers came to that city to secure employment in the work of restoration, and that increased wages was the result to the labourer and mechanical like; and now, when the city has been rebuilt, is it to be wondered at that thousands who came into the city to re-build it are leaving it, that wages are not so high as then, that there are not so many men engaged in the manufacture of doors and sashes and bricks, that there are not so many foundrymen at work as there were then. I say, is it surprising that such is the case? The hon. gentleman stated the facts truly, but his conclusions were entirely erroneous, because he had endeavoured to impress on the House and the country that the effect of the National Policy had been to bring wages down to their present rates. Let me further say with reference to the city of St. John and the Province of New Brunswick. The leader of the Opposition, the other day, and I can understand his object, said there was but little probability of manufacturing industries springing up in that

Province, and of St. John becoming a manufacturing centre; and he said that he always expected that in Nova Scotia, where they had coal and iron, they would be able to have large manufacturing industries, but what could New Brunswick expect? I assert that there is no portion of the Dominion of Canada which, in proportion to its population, has as large a number of its inhabitants engaged in manufactures as has the city of St. John. Manufacturing enterprises have been going on in that Province for a quarter of a century, increasing year by year, and extending, so that down to 1874, when these enterprises were at their height, 8,000 people in that city alone were employed in manufacturing industries. The hon. gentleman said he was not surprised that I should have been met with such limited cordiality when recently visiting that city. Was it limited? We had two dinners there on that occasion—the hotels we have there at present are not large enough to give dinners, to two hundred people at once. And I venture to say, further, that we had as many at the two dinners as the hon. gentleman had when he visited St. John as Premier of Canada. Let me give additional evidence of the ability of the people of that Province to carry on successfully manufacturing industries. I may tell this House that nearly every contract let since the new Tariff came into operation, for the construction of locomotives, snow-ploughs, cars, and turn-tables for the Intercolonial and Pacific Railways has gone, with the exception of three locomotives and two cars, to the Province of New Brunswick, and on lowest tender. When I state further, that though the sash and door manufacturers and carriage makers are not doing what they did in 1874, boot and shoe manufactories are in successful operation; machinists are freely employed; the cotton manufactory there has doubled its capacity within the last six months, and is preparing to quadruple it. And since this policy was adopted by the House of Commons a lock and brass factory has been started in Moncton, with a subscribed capital of \$200,000, of which \$66,000 has been paid up; that arrangements are being made for the establishment of a sugar refinery in the same place, the necessary capital having been subscribed; that re-

cently the inhabitants of the town of St. Stephens were called together to consider the propriety of establishing a cotton factory there—they having sent to the United States for experts to select a site—that a site has been selected, that stock is being subscribed, that American capitalists are willing to build it and put it in operation, if their taxes are remitted for twenty years, that the expenditure involved in such an enterprise will be between \$300,000 and \$400,000; that a company with a capital of \$60,000 is being formed for the manufacture of nuts and bolts, and that various other interests of that kind have grown up in that Province within the past six months, the whole requiring altogether a capital of \$1,000,000—when I mention all these things, I ask whether, under those circumstances, Ontario or Quebec has exhibited a greater spirit of enterprise than has the Province of New Brunswick, bearing in mind, at the same time, that in proportion to population, our one million of capital is equivalent to six millions in the Province of Ontario, or four and a-half millions in the Province of Quebec. Sir, a characteristic scene took place since I came into this House this afternoon. I heard of a petition being circulated in St. John, asking that certain amendments be made to the Customs Tariff, and if I heard correctly the late Minister of Customs presented such a petition this afternoon. If the object of this petition was to influence the Government when making their changes in the Tariff—considering that it has been in circulation for a month among those who do not agree with us politically—why was it left until just before I rose to make the Budget Speech. I say, Sir, that this petition was said in St. John to be a piece of political clap-trap, and it has proved itself to be so. It has been said that the imposition of a duty on corn and cornmeal is unpopular, and I know that duty is unpopular in Nova Scotia and New Brunswick.

MR. MACKENZIE: And in Ontario, too.

SIR SAMUEL L. TILLEY: And if we were legislating here solely for these Provinces we would not have asked for its imposition, but it was part and parcel of

our policy; and what is the fact? It will be seen by a return on the Table of the House that the duty collected on corn and cornmeal in the Provinces of Nova Scotia and New Brunswick has been nearly or quite met by the reduction of the duty on molasses consumed during the same period. It will be found that though in New Brunswick we consumed 55,000 gallons more than for the corresponding six months, the duty collected is something like \$9,000 or \$10,000 less, in other words, the reduction of duty on tea and molasses will balance what is paid by the Provinces of New Brunswick and Nova Scotia on corn and cornmeal. Still not a word is said on this point by hon. gentlemen opposite, their object being to alarm people as to the effect the Tariff is having on particular industries in these Provinces. Then we come to the duty on flour, and I have heard it stated that this is an Ontario Tariff. It will be found by the returns on the Table that during the last six months New Brunswick and Nova Scotia have not paid one dollar more on coal and flour than has Ontario, in proportion to population. We may expect objections to provisions in this Tariff, but on looking at its operation throughout, it is a marvel to me how we could have framed a Tariff that bears so equally on all portions of the Dominion I am quite prepared in the discussion of this subject to have hon. gentlemen opposite differ with me on this point, but let us go to the returns and form a judgment from the facts submitted to the House. It is said the greatest enemy of truth is prejudice, and its greatest friend time. Time is solving this question with reference to the Tariff. The main discussion on the Tariff will be this Session. The result of another year's experience will be such that our friends opposite will be then veering their course for a moderate protective policy, in order that they may meet the desires of the country. It is said this policy has damaged the country generally.

MR. MACKENZIE: Hear, hear.

SIR SAMUEL L. TILLEY: The hon. gentleman says "Hear, hear." Well, the hon. gentleman and his organ for five months after the passage of this Act, endeavoured to show that the country was

poorer than it ever was before. For the five months subsequently, the Opposition organs endeavoured to show, when the prosperity of the country was so apparent that it could not be gainsaid, that it was not the result of the National Policy. Dun, Wiman and Company published a statement showing that the bankruptcies in Canada had been greater last year than ever before. Then the cry was again raised that the country was going to ruin. Here was something to build an argument on. It was amusing to read the varied statements made from time to time with reference to the Tariff. I will give you a sample. In one of the leading papers, which hazarded the statement that this policy was enriching the manufacturers at the expense of the masses, appeared a quotation of the price of rubber overshoes, to show how the prices had been increased and the manufacturer enriched; and yet the same paper in the same issue called attention to the fact that 2,000 pieces of Canadian woollens had been bought the day before at 30 per cent. less than any price ever before known in the history of Canada. Such is the inconsistent line taken by the Opposition. As to bankruptcies, it was stated in the House the other night that these increased bankruptcies were the result, to a great extent, of the general impression on the part of the people that the law would be repealed. The result of that impression was that the man who had been struggling along with his head just above water, took advantage of the law. On seeing the prospect of improved times, they came to the determination to obtain relief from these liabilities and start anew on the flood tide of prosperity. In the United States, in 1878, the same fact was noticed. Just at the commencement of prosperous times there were more bankruptcies than during the previous years. It is to be deplored that our magnificent country, with its grand prospects, should be decried, and its credit damaged for party purposes. The hon. leader of the Opposition stated that, if it had not been for the good crop last season, the country would be in a worse position than it ever was before—is it not in a better position than it was a year ago? Can you look anywhere throughout the length and breadth of the Dominion and say it is not so? Take the im-

porters who, from their position, would naturally have less sympathy with this policy, and with this Tariff, than those who are more directly benefitted by it, and you will find, universally, both in wholesale and retail lines, that in the last six months the general trade of the country has been largely improved and increased. If you go to the farmer, you will find that he recognises the improvement in prices for the articles he has for export, or for home consumption in the home market. You may go to our shipping interest, and you will find that during the last five or six months every one has a more hopeful feeling than they had before. Take the lumber interest of the Ottawa Valley and other parts of the Dominion, and mark the change. You will find every man, who is engaged in that business in the city of Ottawa, in the west, or down east, doing double work, making sales ahead, and with a different, a more buoyant, spirit than he had twelve months before. I care not in what part of the Dominion you go, you will find a more hopeful feeling and more confidence; and, notwithstanding all these evidences of prosperity, the hon. gentlemen of the Opposition will blind their eyes to the facts and state that the country is not prosperous and are doing everything in their power to prevent emigrants from coming into the country to settle and invest their capital, and help to promote the prosperity of the country. I think it is scarcely necessary for me to enlarge upon this point, but I have no fears for the future of the country. Its prosperity I feel is assured. I do not say that it is all the result of the National Policy. I agree with my hon. friend (Mr. Mackenzie) that there are other causes affecting it, but I assert this—that the day after this policy was adopted in this House, in leading commercial centres and throughout a large portion of the Dominion of Canada, there was an entirely different feeling, a more hopeful feeling than there was the day before the policy was announced. And I believe, from personal observation and indisputable evidence, that 10,000 men are now occupied in the country who could get no employment before; and, what is more, the returns of the last six months, adding the three millions and a half of imports of the previous year, which clearly

belonged to that, will show that the difference between the imports and exports of the Dominion for the last six months are in favour of the exports by \$6,500,000. At the close of the year we will find that by the reduction of imports and the increase of exports, the balance of trade, which some gentlemen think is of no importance, though I think it is of vital importance to this country, will for the first time in the history of the Dominion be in our favour. I am, Sir, hopeful with reference to the future of this Dominion, and I believe that with the policy of developing the Great North-West, with the expenditure that was asked for this year, and is asked for by the Government for next year, we will be able by 1882 to pass through from Ontario to Manitoba by rail on our own territory and 200 miles beyond it—that we will be able to place hundreds of thousands of immigrants in comfortable homes in that magnificent prairie country, and bringing out of it its products. We will then have in an increased revenue and exports, a return for the expenditure we are now making. If we can fairly succeed in making our financial arrangements for the next two or three years, our difficulties will have been tidied over, and we will then be on a sound basis for the future. I said, in introducing the resolutions last Session, that the change in the fiscal policy was so great, that it was quite impossible for any Government or any body of men to frame it, so that after the experience of a year there would be no amendments to propose. The amendments that I desire now to submit to the consideration of the House will show that there are no radical changes whatever to submit for the approval of Parliament. There are many of them framed rather with the view of removing the difficulties in the working of the Tariff than as changes of policy. In the working out of the propositions of last Session, there necessarily was a good deal of friction. Many articles were composed of different materials, and of course the rate of duty was levied in proportion to the material of which the article was made. It was found that difficulties were arising from that source, as well as from others, and these considerations have led the Government to submit some amendments for consideration. I have

had a synopsis of the resolutions prepared, which I propose to read to the House; it will show more clearly the changes made than the reading of the resolutions themselves. In the first place, it is proposed, as it was found that the duty on demijohns, when they were brought into the country.

AN HON. GENTLEMAN: Oh.

SIR SAMUEL L. TILLEY: My hon. friend laughs at the demijohns. He rather sneered the other night at my temperance principles. If my hon. friend, (Mr. Mackenzie,) and I were going on together now as we did twenty years ago, in favour of temperance, perhaps he would not have sneered so much at me on this question. As to demijohns, those imported with vinegar, or wine, or acids, were subject to a different duty from demijohns imported empty. They will be charged 30 per cent. *ad valorem* instead of 20 per cent.; asphaltum, used in making varnish, 10 per cent. *ad valorem* instead of 20 per cent.; bagatelle tables or boards, with cues and balls, 35 per cent. *ad valorem* same as furniture; billiard tables raised from 10 to 15 per cent. *ad valorem*; the same will apply to pianos, the specific duty remaining the same; bird-cages of all kinds will come under uniform duty, no matter of what material they are composed. Shoemakers' ink is placed at 25 per cent. Books are changed from 6 cents per lb. to 15 per cent., in consideration of our hon. friends opposite, who advocated that course last Session. Account books, 30 per cent. instead of 25 per cent.; valentines, chromos, and cards generally, a duty of 30 per cent. They were classed under different heads before. Some paid 20, some 25, and some 30 per cent., and it led to confusion in collecting the duty. Braces and suspenders are placed on the 25 per cent. list, they having previously been charged different rates, according to the materials of which they were made. Cans containing fish, under the Washington Treaty, will be charged 1½ cents per quart can, and the same price for each additional quart. This duty was imposed in order to counteract the effect of the American legislation, by which the trade of the United States had an advantage over our people of eighteen cents per

dozen on all canned fish. China and porcelain is to be increased from 20 to 25 per cent. Combs are placed at 25 per cent., instead of a duty being charged according to the materials of which they are made. Crapes of all kinds are now placed at 20 per cent. Fishing rods at 30 per cent. Fire-proof paint  $\frac{1}{4}$  cent per pound. Flagstones, dressed, \$1.50 per ton. Artificial flowers are reduced from 30 to 25 per cent. Grapes are increased from 1c. to 2c. per lb. Mattresses of all kinds, 35 per cent. Silvered, plated glass, imitation porcelain, shades, decanters, etc., 25 per cent. Gloves and mitts, of whatever material made, 25 per cent. Wrought iron tubing, plain, not threaded, coupled or otherwise manufactured, 15 per cent.; slabs, blooms, loops or billets, are reduced from  $12\frac{1}{2}$  to 10 per cent. Liquorice is placed at 20 per cent.; when in extract or confection, 1 cent per lb. and 20 per cent. Malt, extract of, or for medical purposes, 25 per cent. Poultry and game, 20 per cent. Milk food, 30 per cent. The *ad valorem* duty on cabinet organs is increased from 10 to 15 per cent., specific duty unchanged. Bismuth is placed on the free list. Ruled paper is charged 25 per cent. Collars, if cotton, linen or paper, 30 per cent. Quick-silver is placed at 10 per cent. In regard to the duties on champagne, it is provided that the quarts and pints in each case shall be the ordinary sized quarts and pints. Steel and manufactures thereof are placed on the free list for another year. In regard to sugars, syrups and molasses, it is provided that the duty is to be charged on the export duty or other Government tax. Trunks are increased from 25 to 30 per cent. The duty on cigars and cigarettes is increased from 50 to 60 cents per pound. Tomatoes in cans are placed at 2 cents per pound. Watch actions, movements, 20 per cent., cases and watches 25 per cent. Hubs and spokes in rough are reduced from 20 to 15 per cent. I now come to a question of some importance, and that is the question of coal. When this was under the consideration of Parliament before, the Government after giving the matter very careful consideration, came to the conclusion that 50c. a ton on bituminous coal would carry it from Nova Scotia to Toronto. A considerable quantity of coal was sent to Toronto during last year, and it was

hoped that arrangements could have been made with the Grand Trunk Railway by which the quantity might have been largely increased. After giving the matter the most careful consideration, and desiring to enable that industry to send its products as far west as Hamilton, it is proposed that ten cents additional per short ton be charged on bituminous coal. That will make the duty sixty cents per ton. Slates of all kinds and manufactures of slate not otherwise specified are made 25 per cent. *ad valorem*. Wool, viz., Leicester, Cotswold, Lincolnshire, and combing wools, such as are produced in Canada, are to be placed on the Tariff at three cents per pound.

MR. MACKENZIE: Will the hon. gentleman state what the revenue he expects to derive from these changes on the Tariff?

SIR LEONARD TILLEY: I stated that after examining this matter carefully I do not think we will receive much additional revenue from these changes.

MR. MACKENZIE: Not from coal?

SIR LEONARD TILLEY: No; because we think this will carry the coal from Toronto to Hamilton, and if it does we will lose revenue, the Nova Scotia coal taking the place of imported coal. But upon the export duty on sugar and some other articles we will have an equivalent. However, the Estimates of increased revenue are not based upon these resolutions. The following are the additions to the free list: sulphate of ammonia; bismuth; cinnabar; machinery of worsted and cotton mills, limited to October 1st, 1880; muriate, of potash crude; settlers' effects, under regulations to be made by the hon. the Minister of Customs; live stock, when imported into Manitoba or the North-West Territory by intending settlers, until otherwise ordered by the Governor-in-Council; steel till 1882; water-colours, by well-known artists; quarterly, monthly and semi-monthly magazines, unbound. Mr. Speaker, in conclusion, I may say that these propositions the Government lay with confidence on the Table of the House, believing that they are in accordance with the policy declared last Session, and that they will be sustained not only by the House, but by the country.

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

SIR SAMUEL L. TILLEY.

### After Recess.

SIR RICHARD J. CARTWRIGHT : Mr. Speaker, There was one remark which the hon. gentleman opposite insisted upon with which I am entirely disposed to agree. I agree with him in thinking that, when a fiscal revolution, involving such enormous changes as are involved in the Tariff which he recently proposed, has been submitted to the consideration of the country, it would be unwise to deny that a considerable length of time must elapse before the full results of such a measure can become clearly apparent. I am quite well aware that there have been a great many influences at work, all operating more or less on the position and prospects of this country, wholly apart from the fiscal policy we have adopted. I myself, when I occupied the position now held by the hon. gentleman, never committed the mistake of supposing that the best possible fiscal policy would obviate the results of great extravagance on the part of a Government or people; nor have I ever asserted, here or elsewhere, that even a very bad fiscal policy would at once neutralise all the effects of great natural advantages or great energy or industry on the part of the people to whom that system was applied. That I take to be true as a general proposition, everywhere, and especially true of Canada, and indeed, of the whole of North America, because, from various circumstances, this continent may be regarded as being usually in a state of rapid growth, though a growth of fits and starts, in which, as our own experience, and the whole commercial history of the United States shows, periods of inflation are followed by periods of depression, and *vice versa*, from time to time. I think, however, be this as it may, that at present certain great facts are tolerably clearly apparent to every man in this country, which will assist us in forming some conclusion as to the merits or demerits of the policy of hon. gentlemen. For instance, we know too well that our revenue has not increased, in spite of the somewhat confused explanations by which the hon. the Minister of Finance endeavours to persuade us that from the fact that upon March 1st, 1880, our net receipts were two millions less than on March 1st, 1878,

therefore we are sure to have a surplus at the end of the ensuing four months. We know likewise that it may be true, as the hon. gentleman has told us, that in New Brunswick new factories are expected to crop up, though they have not yet begun to give employment to the inhabitants of that favoured Province. But we also know that in other parts of this Dominion, with which we are better acquainted, those happy results have not been felt, and that, so far from greater employment being given to the working classes, we find, as that hon. gentleman might have seen in yonder square ten days ago, that hundreds, nay, thousands, of starving workmen are cursing the day they trusted the false promises of the hon. gentlemen opposite. We know perfectly well, the statements of the hon. Minister to the contrary notwithstanding, that the confidence which was to have animated the whole commercial community on the happy restoration of hon. gentlemen opposite to office, has taken the extraordinary shape of a greater depression of bank stock and a greater number of bank and business failures than Canada has ever heretofore known. We know, and if proof was wanted the hon. gentlemen might have had it in the petition of 3,000 electors of St. John city and county laid upon the Table this afternoon, we know that the people are not satisfied with his new policy, and the more they learn of the practical working of the hon. gentleman's Tariff, I venture to predict, though not endowed with the spirit of prophecy which the hon. the Finance Minister seems to possess, the less they will be satisfied with it. We know also, and here again I take issue with the hon. gentleman, that the prices of all the various articles that these men have to buy have risen, and their wages and the price of the chief articles the people have to sell have not. We know to our sorrow—because I am not one of those who wish for the sake of injuring my political opponents to see misfortunes inflicted upon the country—we know that the great and alarming emigration which prevailed in former days, from 1860 to 1870, is resuming its former proportions. We know that, from the hon. gentleman's own Province, from every one of the Maritime Provinces, men are seeking other countries where they

will not be oppressed as in their own land. And there is not much wonder that such is the case. Turn to our Public Accounts, and you find an expenditure of \$250,000 for the purpose of bringing emigrants to this country. Turn to our Tariff of Customs, and you find seven millions being wasted, or worse, in trying to drive the old inhabitants of Canada away. We know also that the number of bankruptcies is not reduced under the *régime* of these hon. gentlemen. The hon. the Finance Minister, following in the wake of his illustrious leader, would have us believe that so far-sighted were the bankrupts of Canada, that they rushed wholesale into bankruptcy in 1879, for fear that a law would be introduced in March or April, of 1880, to prevent them from doing so at all. Sir, this explanation reminds me of the apology made by the First Minister for allowing a private member to introduce that Bill, of which mention was made in the Speech from the Throne, and I hardly know which is the lamer, the explanation or the apology. I suggest with all humility another explanation. Possibly the members of the commercial community may have wished to pay a last delicate attention to hon. gentlemen, and went into bankruptcy to provide some sort of employment for that horde of official assignees which the Bill of my hon. friend from Stanstead is about to sweep out of existence. Now, Sir, I desire in the first place, following the track of the hon. the Minister of Finance, to deal with the financial state of the country. Thereafter, I propose to show how, in my judgment, his Tariff has affected the mass of the people of this country, and what claims he is likely to have for a renewal of the confidence of which he boasted so much—a confidence, be it remembered, which was bestowed before the people had the slightest notion of the blessings which were in store for them. The hon. gentleman stated that there had been a deficit of \$1,960,000, I think, for the year ending 30th June, 1879, and as a matter of course the hon. gentleman intimated that I, and no other, was responsible for this. I am at a loss to know whether I am to be responsible for \$3,000,000, \$3,400,000, or \$4,100,000, because all these sums were mentioned by the hon. gentleman as being respectively the true deficit of the year. But

we will assume, for the purpose of argument, that I am to be held responsible for the \$1,960,000 which the Public Accounts state to be the deficit for the past year. Sir, I decline that responsibility, and for reasons which I think some hon. gentlemen in the House and some people in the country will think reasonable and substantial. I say that deficit has been caused partly by the fact that that hon. gentleman and his colleagues expended about three-quarters of a million dollars more than we should have expended had we been in their places, and partly by that unparalleled feat of financial genius, as the *London Times* called it, whereby the hon. gentleman, with a generosity all his own, not merely threw wide open the Dominion Treasury to every importer who wanted to anticipate the new duties, but absolutely went out of his way to afford facilities through the medium of the banks to those merchants in order to put into their pockets over half the money that ought to have gone into the National Treasury. There, Sir, is the cause of the deficit, and the only cause. I say, Sir, the onus is most distinctly and clearly on the hon. gentleman. I do not refuse to bear the full responsibility of all the expenditure which we authorised, either by Order in Council or by the Estimates we brought down, but I will go no further. Permit me to contrast the condition of things in the year 1874 and that in the year 1879. In 1874 I held the hon. gentleman responsible for the expenditure which was then incurred, and this was the reason why I did so. That hon. gentleman by his several Orders in Council, and by the Estimates which he himself brought down, had made provision for the expenditure of \$23,685,000. He had further expended during the August and October Sessions of Parliament held under his *régime* the sum of \$200,000. That was before we came into office, and I have always held him and his colleagues responsible besides for the expenditure of the general election which was rendered necessary by their misconduct. However, I do not want to insist on that or on a considerable number of items which had been expended by these hon. gentlemen, and for which we afterwards got the authority of Parliament. But I point out to the House this fact, that, without taking into account the question of the general elec-

tion, that hon. gentleman had spent or taken authority to expend \$23,885,000 in 1873-4, while our actual expenditure was \$23,316,000, or \$568,000 and odd less than the amount that gentleman had estimated for and taken authority to spend. Now, according to his own statement, throwing in the Orders in Council for sums brought forward by us, and allowing for the extra expenditure on account of the elections, which he estimates at \$65,000, the total expenditure we had authorised was \$23,920,000, of which I may remark a very considerable proportion, as he himself admitted, was not expended. He therefore expended last year some \$535,000 more than we are responsible for, while we expended \$568,000 less than he had taken authority to expend in 1873-4, and that I say constitutes a strong *prima facie* case against the hon. gentleman. Still I am not disposed to rest my case there, but I will point out to the House where I think these gentlemen were guilty of needless and improper expenditures. In the first place I do not admit that the hon. gentleman had the right to charge me for interest—at any rate more than to a small extent—on loans effected after I left office. He assumes what he has no right to do, that I intended to effect a loan of three million pounds sterling. This was not my purpose, but I leave that question till I can refer to his remarks about his recent loan. When we come to ordinary expenditure, what do we find? Why, Sir, we find that these hon. gentlemen, under the head of ordinary expenditure, have expended a very considerable number of sums which I feel perfectly certain, had we remained in office, would not have been expended. We find under the head of Civil Government that, whereas we expended in our last year \$823,000, these gentlemen expended \$861,000, of which about \$20,000 were for contingencies. We find that, under the head of Militia, whereas we expended \$618,000, these gentlemen expended \$130,000 more. Now, I do not charge them with the whole of that amount. I think it is probable that a portion of that may have been legitimate enough expenditure. But I say that, had we been in office, the Militia expenditure would have been at least \$60,000 less than it was. In the matter of Legislation these hon. gentlemen caused an extrava-

gant expenditure in two ways. First, in consequence of the Minister of Finance not being prepared to bring down his measures to the House for many weeks after we met, and secondly, as the returns laid on the Table of the House show, by permitting the expenditure of this House to run riot until, on the vote for \$8,000 for sessional clerks, messengers and pages, there was an expenditure close on \$30,000. Sir, for that class of expenditure I refuse all accountability. Nor do I think that we are chargeable with the fact that the hon. the Minister of the Interior, as the hon. member for Bothwell showed last Session, saw fit to put nearly five quarters instead of four in the ordinary expenditure for Indians on that year. Under the head of charges for collection of revenue, I would also point out that, whereas we expended \$1,724,000 for the service of the Post Office in 1878, these gentlemen expended \$1,784,000, while in the following item they expended \$400,000 more than we demanded for the task of maintaining railways and canals; and \$200,000 more apparently than they themselves so late as the month of May deemed necessary. That expenditure may or may not be defensible; I am not in a position to form an opinion on the subject, but I do know that my hon. friend beside me spent \$200,000 less during his last year than his successors saw fit to expend. I remark in connection with this subject that I know too well from the state of things that confronted us when we became responsible for the administration of the affairs of this country, from the shameful way in which those roads were run down, how easy it is largely to diminish for a time the apparent expenditure on great public works. I also know how many hundreds of thousands, and perhaps millions, it cost us to put those roads in proper condition. If the information we have received from the Maritime Provinces be correct, there is an exceeding probability that something of that kind will occur again in a few years. I may add, for the hon. gentleman himself admits it, that there is at least \$100,000 for which he and not we were responsible, and therefore I submit that the hon. gentleman had no right whatever to attempt to hold us responsible for any



more of the expenditure for 1878-9 than we ourselves had brought down Estimates or taken Orders in Council for. I may likewise point out the very important differences in our respective treatment of the situation. In 1873 I found, as I showed in the clearest possible manner, that, unless large additional taxes were put on, there was a certainty of a very serious deficit occurring, and we put on taxes which, as everybody admitted, cured the deficit for that year and the next year, without inflicting any serious burden on the people of the country. I say that, when no more than 2 or 3 per cent. are added it matters little whether the revenue be anticipated by a few months or weeks; but it matters a great deal when, as in the case of this Tariff, the Tariff was raised at one bound from 17 to 35 per cent. in the case of many articles of general consumption. I notice that in these allusions to deficits, the hon. gentleman was cautious enough to adopt a somewhat different tone from that which he and his colleagues indulged in in other places as to what these deficits portend. Perhaps the shadow of coming events may have been on the hon. gentleman. He may have in view a time when it would not be convenient for him to lay down the general proposition that deficits cannot exist without proving the great imbecility, the great incapacity for administration, of the Government who are responsible for them. Perhaps, Sir, there was another reason. Our position at present, as regards that hon. gentleman, is peculiar. I do not remember, to have found in constitutional history anything at all resembling it in time past. We have here on the floor of this House a Finance Minister duly authenticated and holding Her Majesty's commission. But, if rumour is to be believed, there is behind that hon. gentleman a very distinguished personage, who is a sort of *alter ego* to the Minister of Finance, who is here, there and everywhere, as the necessities of the Finance Minister compel him. Does the Finance Minister go to London to negotiate a loan; that distinguished personage is there. Is he called upon to explain the fiscal policy of his country before a Chamber of Commerce in England; that distinguished person is there. Does he go to Washington; that distinguished per-

sonage is there. I am glad the hon. gentleman is in such good hands. I have a great admiration and respect for that distinguished personage, and I do not know that I ever felt more admiration for him than when I saw him discharging the whole duty of an ambassador abroad as those duties are defined by those two eminent constitutional authorities, Sir Henry Wotton and the present Minister of the Interior, with such a splendid disregard to the consequence to his own reputation provided only he could assist the Minister of Finance in his difficulties. I can understand that that distinguished gentleman at any rate, if he has not forgotten all he ever did or said or suffered, would have given a wise word of caution to the present Minister of Finance. I cannot doubt that a man of his experience in public affairs must be aware that there is considerable danger, in spite of all the hon. gentleman's calculations, that things may not turn out precisely as he expects; that this year and next year, and possibly the next two years, he may expect serious deficits. Perhaps, too, the hon. gentleman remembers, and I dare say the hon. gentleman's colleague remembers, a certain episode which I must apologise for troubling the House with, though it has a decided bearing on the question before us. I can recollect very well a period at which the present First Minister directed the affairs of this country, a period at which the distinguished person to whom I have alluded was his Minister of Finance. I can recollect in 1858, when the revenue of Old Canada was \$5,270,000, and when there was a net deficit, deducting the sinking fund, of \$3,083,000, or a percentage of deficit to revenue of 58 $\frac{3}{4}$  per cent. In 1859 there was a revenue of \$6,600,000 and a net deficit of \$1,328,000, or a ratio of deficit to revenue of about 20 per cent. The succeeding year there was a deficit of \$1,939,000 to a revenue of \$7,500,000, or a proportion of 26 per cent. In 1861 there was a revenue of \$7,500,000, with a deficit of \$1,879,000, being in the proportion of 25 per cent. to the revenue. Now, Sir, in our time, there was a deficit in 1876. The revenue in that year was \$22,500,000, and the net deficit, deducting sinking fund, was \$1,077,000, being in the proportion of four and four-fifths of

one per cent. to the revenue of the country. In 1877 the revenue was \$22,050,000, and the deficit \$631,000. In 1878 the revenue was \$22,375,000, and the deficit, deducting sinking fund, was about four-fifths of one per cent. in proportion to the revenue. You will observe that our greatest net deficit, compared with the greatest deficit of the hon. gentleman's leader, and of the hon. gentleman who was then acting as Finance Minister, stood in the proportion of four and four-fifths to 58 per cent., and that the percentage of deficit in our last year as compared with the percentage of deficit in his last year was as four-fifths of one per cent. is to 25 per cent. And as the hon. gentleman appears to be in a mood to make arithmetical comparisons, I may say further than our worst deficit bore the same ratio to their worst that one bears to twelve, and that our final deficit was to theirs as one is to thirty. And that, Sir, is not only a fair ratio of the respective differences between the two deficits, but I submit is also a fair ratio of the prudence, the economy, and the administrative capacity which characterized the two Governments. I would warn the hon. the Minister of Finance that when he talks of deficits he is treading on very dangerous ground indeed. He has been good enough to tell us that he, and he alone, looks to the future without any embarrassment, because he had obtained on the 1st of March, 1880, the sum of \$14,081,000 as the total revenue for the past eight months. I find that on the 1st of March, 1878, our revenue amounted to \$15,003,330; on 1st March, 1877, \$14,263,000; and on 1st March, 1876, \$15,616,876. I confess, particularly after hearing that the hon. gentleman expects to expend something like \$24,900,000 in the current year, that I fail to see on what principles he expects our average monthly revenue of one and three-quarter millions to rise to something like \$3,000,000 per month for the remainder of the year. He may be correct, and I should be glad for the sake of the country, to believe it possible; but I fear the result will prove that the revenue of the next four months will bear but too exact a proportion to that of the last eight months, and that he will be called upon to face a deficit of from \$2,000,000 to \$3,000,000, that is, supposing that he fares no worse during the

next four months than he has during the preceding eight. I find by the Customs Returns that up to the 1st of February, 1880, there was a total revenue from this source of \$7,400,000. Up to 1st of February, 1879, the Customs Revenue was \$6,970,000 and no less than \$485,000 of the first named sum is due to the duties on coal and flour. I take no account of the enormous disproportions shown by the returns of last month to those of the same month last year, because I am aware that in the month of February, 1879, through the extraordinary generosity of the hon. the Finance Minister, an unusually large amount of goods were passed through the Custom-houses, and paid duty. But I call attention to this fact that the result I have just shown has taken place in the face of extraordinary circumstance. We have had a good harvest, and unusually good prices for certain portions of our products. The markets of the world in general have been rising, and we ought to have got our share of profit from the revival. The whole result is the best possible endorsement of the policy of the late Government. We have been blamed for not imposing further taxes in 1876. What was our position then? We had recently imposed heavy taxes. We knew that we were very close to the true effective limit of indirect taxation, and also that a very slight revival in the price of ordinary staple articles would suffice to restore our revenue, and therefore we determined that it was our duty to practice the strictest economy, and to exhaust all reasonable means before adding any further to the burden of the people. Had our course been followed, had the hon. gentlemen opposite been content with a fair revenue tariff, all the hon. Finance Minister's difficulties would have disappeared and the country would have been in possession of a surplus. Then the hon. Minister informs us that one cause of his embarrassment was the heavy engagements he had inherited from the last Government, and he was good enough to recall to our minds the unexampled prosperity which existed when he was Finance Minister, in 1873. I also desire to recall that period to your recollection. I desire to recall how that hon. gentleman mistook inflation for prosperity; how he then, in defiance of remonstrances from

this side of the House, and particularly in defiance of my own remonstrances, made that inflation the excuse for heaping enormous burdens upon the people of the country, and for adding deliberately and most needlessly the sum of one and one-half millions to the fixed expenditure of the country. It is a matter of public record that in some six years they increased the expenditure from \$13,000,000 to \$23,000,000, and that they went out of office leaving unfulfilled engagements, which, had they been fulfilled, would have added four or five millions more to the expenditure of the country. We took office and found this state of affairs staring us in the face. Only one engagement for Public Works did we carry out, that for the Canada Central Railway, which had not been incurred by our predecessors. Take the Estimates for 1873-4, drawn by the hon. the Finance Minister. You will find votes taken for the Welland Canal, Lachine Canal, and I believe every canal in the country, as well as for the Pacific and Intercolonial Railways, and for every work, in short, in which we have engaged, and yet he dares to talk of the heavy engagements we left behind us. I shall take the opportunity of saying a few words as to the extremely heavy Estimates which the Finance Minister has laid up on the table. I do not pretend to say that when a Volume of eighty-eight pages is thrown at our heads the day before the Budget, I or anybody else is able to make that careful analysis of it which should be made, but I say that, without any careful analysis, enough can be seen to fill every hon. gentleman who desires the welfare of his country with very serious alarm and misgiving at the amount which the Government consider the least with which they can carry on the Government of the country; and it must not be forgotten that these are but first Estimates. Judging by old usage, and I am afraid the hon. gentlemen opposite are not likely to introduce a new precedent in that respect, besides these Estimates for \$25,000,000 we will have Supplementary Estimates brought down before the Session closes, not to speak of a probable Schedule A next year also; so that this will not at all give the true amount the hon. the Finance Minister will require for the service of 1881. I regret still further

to notice that in these Estimates the hon. gentleman, departing from the practice uniformly observed by his predecessors, has introduced a charge of \$300,000 for surveys of Dominion Lands to capital account. I say there is no possible excuse for making this a charge on capital account. It is evident that the hon. gentleman is afraid that the deficit, which he knows is impending, will be monstrously swollen by this additional sum. Everyone will remember that on every hustings in Canada these hon. gentlemen rated the late Government for extravagance, especially in the matter of Civil Government, Superannuation Allowances, Indian Expenditures, and Post Office Department. Now let us see what we expended in 1878, and what these gentlemen propose to spend in 1881. In 1878 the total expenditure for Civil Government amounted to barely \$823,000. Now, we are told \$917,451 are required—being an increase over our expenditure of nearly \$100,000. Sir, we were reviled without stint because in 1878 we found it necessary to expend \$106,000 for the purpose of providing for superannuation. I perceive that \$142,000 is the least these hon. gentlemen can get on with for their superannuation charges. For Indian service, in 1878, \$421,503 was expended. Now I see \$649,786 is demanded for the same service. In the Post Office Department, Sir, in which our extravagance had become rampant, we spent \$1,724,938 in 1878, these gentlemen now demand \$1,852,000, being \$130,000 more than the late extravagant Government found necessary to expend. I see but one substantial saving attempted to be made, and that is in the matter of Charges for maintenance of Railways. Now it may be possible to carry this out to some extent. I confess myself that everything that has come to my knowledge, everything that came to my knowledge while I was Minister of Finance, renders me very doubtful indeed as to the probable success of an attempt to reduce these railway expenditures to a much lower point than they touched in 1878 without injury to the service. Nevertheless I shall give my hearty support to, and shall heartily congratulate the hon. the Minister of Railways if his ability and energy do enable him to carry out the pledges

which the hon. the Minister of Finance made on his behalf that he will effect the saving of which he speaks. But I reserve my opinion on that subject until we obtain that fuller information which will enable us properly to discuss the saving proposed to be made in that direction. These other figures at all events appear to me to indicate a revival of that spirit of reckless folly which led these hon. gentlemen to double the expenditure of Canada in seven years, between 1867 and 1873, and which, at a former time, as I showed, led them to expend in one single year something like 60 per cent. more than the total Revenue of the country. And I ask hon. gentlemen on both sides of this House—for the question will be put to them in such a way that they cannot possibly avoid answering it before many weeks are gone—to reflect whether they think the statement the hon. gentleman has submitted, whether they think the prospect of five or six successive deficits, (including those that have already occurred) are a justification for the proposal of these hon. gentlemen to add to the burdens of the Dominion of Canada by an expenditure which they know will exceed thirteen or fourteen millions of dollars—and which will probably exceed fifteen or sixteen millions—among the mountains of British Columbia. Now, Mr. Speaker, I desire to say a few words on a question on which I entertain but small hopes of being able to agree with the hon. the Minister of Finance, and that is as to the relative merits of the several loans which he and myself negotiated in London. I have admitted always—I admit frankly now—that the loan the hon. gentleman made in 1879 was a good transaction *per se*. I thought the time was well chosen, and the terms obtained were in my judgment decidedly good. But I also say—and this is the point on which I do not expect his acquiescence—that the terms he got, having reference to the other circumstances of the case, were not one hair's breadth better than those I formerly obtained. I say, Sir, as to the price, if that be a criterion—although the price obtained in London for a loan, as everybody knows, depends in a great degree on causes entirely beyond the control of the Canadian negotiator for the time being—if you go through the whole history of loans since Confederation

I think you will find that the hon. gentleman, with respect to his loan as compared with mine, has no particular cause for exultation. The first loan made on Canadian securities since Confederation was in 1868, when Sir John Rose sold a portion of our five per cent. securities for 90 per cent.; and in the condition of the market at that date, a very good transaction it was. Six years after I sold 4 per cent. securities in London to the extent of four millions sterling at 90 also. Now it does not require much calculation to see that at a distance of six years I obtained better terms than Sir John Rose, by 25 per cent, and if we apply the same rule as the hon. gentleman wants to apply to my loan it would appear I did five times better as compared with Sir John Rose, than the Minister of Finance has done as compared with me. It is quite true that the hon. gentleman succeeded in obtaining a nominal sum of 95 per cent. or so for the loan he made, but the hon. gentleman forgot to tell the House that in making that loan he gave extraordinarily favourable allowances; that going to London at the end of July to negotiate his loan, the hon. gentleman had allowed interest to run on the bonds he placed on the market from the 1st of May preceding—in other words, the loan place on the market carried 1 per cent. interest accrued, while subsequent allowances made it amount to 2 per cent. instead of 1, which was the amount allowed on the loans of 1874 and 1876. I do not complain of that. I simply point out that when the hon. gentleman talks of having effected a loan at 95 he ought to tell the House that, with the allowances granted on that loan, it actually netted little more than 93. Now, at the time the hon. gentleman negotiated this loan he would do well to remember that money was cheaper than it had ever been in England before. There is no period in English financial history at which money could be obtained for a considerable length of time for seven-eighths of one per cent., which was the actual rate of discount on the London money market for commercial bills when the hon. gentleman negotiated his last loan. He knows also that there was an unusual accumulation of bullion, and if he wants a further comparison of the merits of the respective transactions, he has only to

look at the relative prices of the United States securities in 1874, in 1876, and in 1879. When, in 1874, I negotiated a loan of four millions sterling, and introduced a totally new security, as far as Canada was concerned, into the London market. United States 5 per cents could be obtained on the London market for 104 or 105. When, in 1876, I negotiated a loan at the nominal rate of 91, the United States had just placed a loan on the market at  $4\frac{1}{2}$  per cent., for which they obtained 100 $\frac{3}{4}$ . In other words, I obtained in 1876 precisely the same rate for Canadian 4 per cent. securities—allowing for the difference in interest—which that great people, the United States, were getting for their  $4\frac{1}{2}$  per cents. But, when the hon. gentleman went over to London, I observe that he sold his 4 per cents at what he calls 95, but what was in reality 93, and American 4 per cents were selling at that very time at 104 to 105. In other words, I got as good prices as the United States, and he got 10 per cent. worse. Now I am arguing with the hon. gentleman according to the style of argument adopted by himself and his organs in the public press. I do not desire to take away from him the credit of negotiating a loan on good terms. He is welcome to that credit, and I am even willing to strike an average and put the good price he obtained in 1879 against the bad price he obtained for his loan of 1878. But there are two points on which I think his conduct was censurable. When in the Session of 1879 the hon. gentleman was reviewing the details of the loan of 1878, I called attention very strongly to the fact that the sinking fund of Canada had attained enormous proportions, and that it was extremely desirable that an attempt should be made at the earliest possible moment to get rid of the sinking fund attachment, and I was quite willing to have sustained him to the utmost of my power if he had made any attempt to do so. I regret, Sir, that having such magnificent opportunities as he had last July he should have utterly neglected to make that attempt, and I say that if he had understood thoroughly the advantages of his position Canada would have been relieved for the next thirty years of the necessity of paying \$75,000 a year by way of a sinking fund on account of that loan; and you will re-

collect that at the present time the sinking fund amounts to \$1,270,000 per annum, and is increasing at the rate of \$50,000 or \$60,000 per year. I say that this is altogether too much, that it has ceased to be useful, and is positively becoming mischievous; and I say it was a great mistake for the hon. gentleman not to make at least an attempt to get rid of the sinking fund. Moreover, I think it would have been better, seeing that money can be borrowed as he avers on such easy terms, seeing that our credit is so high (though I might be permitted to suggest that his intention of seizing seven or eight millions of the currency of the country might appear not exactly to coincide with the opinion he has stated); I say it would have been far better to have taken advantage of that state of things to have paid off the six-per-cents, which have matured, instead of re-investing them as he has done at five per cent.; and in short that had the hon. gentleman availed himself properly of the advantages of the situation our charge for interest to-day might easily have been \$105,000 per year less than it is, and will be during the next thirty years. While I am on the subject I may say that I cannot quite agree with his explanation of the causes of the extraordinary mistake he says he made in the computation of the amount of interest payable this year. I do not understand why a Minister of Finance, in computing the interest to be paid on our funded debt for 1879-80, should have been embarrassed because his predecessor had negotiated certain temporary loans in the year 1878; and if there were, as he says, two or three sums of money borrowed from the Bank of Montreal or other institutions in London, in anticipation of the payment of the Fishery Award on which we knew we had a right to depend—I cannot understand why the existence of one or two advances of that kind should be held a warrant for making a mistake in the amount of interest to be paid in the succeeding year. Nor do I clearly see what purpose his explanation of the several mistakes he made in computing the expenditure for 1878-9 exactly serves. So far as I could understand it, it appeared to me that his statement is virtually that if he had not been mistaken he would have been right in his Esti-

SIR RICHARD J. CARTWRIGHT.

mates, but that unluckily he was mistaken. The hon. gentleman was frank enough to tell us—and I am bound to say it is more than the hon. gentlemen on his side usually admit—that he did not claim that all the prosperity which he says exists in Canada was solely due to the influence of the National Policy. This, Sir, is a valuable admission, and one which I hope gentlemen on the other side will bear in mind. When we come to consider the causes to which such prosperity as we do enjoy is to be attributed, I think we will see the value to be attached to that confession. The facts are that while we have been blessed with a remarkably good harvest there has been a great scarcity, amounting to positive famine, existing through a large portion of Europe; that prices and wages have gone up in the United States, and, as a consequence, there is an improvement in that country—an improvement which gives us better sales for our lumber, and, in certain cases, better rates of transport for our transportation companies. Now, are we to understand that all these things are due to the National Policy? Is it due to the National Policy of the Finance Minister that there was something like six month's continuous rain on the other side of the Atlantic, or are we to understand that the improvement in the United States which has reflected itself on us, which has increased the demand for our lumber and gives us better rates of transport, was produced because the hon. gentleman has been at great pains to reduce our trade with that country; while as to his claim of creating an improvement in the lumber trade and shipping trade, why, Sir, these are the two great interests which he has most hampered and embarrassed; and yet it is for the improvement of these interests that the hon. gentleman takes credit to his Tariff policy. But I perceive that the hon. gentleman has one special cause of exultation. Other things may have disappointed him. He may have made mistakes in computing the amounts he had to pay or the amounts he had to receive, but there was one thing as to which he has not disappointed himself or his friends. The hon. gentleman set himself to the task of reducing the volume of our trade, and he has succeeded admirably. He says our condition is much improved in this respect, and he

absolutely boasts that our imports have fallen off and are still falling largely. Well, Sir, there have been persons not altogether unknown in economic circles who have demonstrated pretty plainly that if the exports of any country exceed its imports, that excess arises mainly from this circumstance: that a nation exporting more than it imports is either getting the worst of the bargain or is indebted to other nations, which, though true, is certainly not a cause for great congratulations on our part. I would like to call the attention of the House to some remarkable statements made a few years since by this same hon. gentleman from the very seat he now occupies, which I think will show that there was a time, not so long ago, when a great increase in the importations of the country was not regarded as quite such an alarming circumstance by the hon. gentleman opposite. Here are his words, taken from his own Budget Speech in the Session of 1873:

“Suppose there should be no increase in the importations and in the general trade, which is supposable, but which certainly will not be realised. Let us see what our position would be, then, in the event of our having to fall back on increased taxation. To make up the deficiency, I have stated that in the last five years the average duty collected on imports was 12½ per cent. For the first six months of the current year it was not 10 per cent. Suppose it became necessary to impose additional taxation upon the people, equal to that which has been exacted during the first five years of Confederation, by increasing the average from 10 to 12½ per cent. Has taxation in the past been oppressive? Have our people felt it grievous and hard to bear? I think not. But let us apply that increased taxation to the imports of the present year, which will probably be \$125,000,000. This would give us \$3,437,500 to meet the interest and sinking fund and the commission, amounting altogether to \$3,367,000.”

Now, Sir, you will note three things here: 1st, It was not even “supposable” that our imports would fall below \$125,000,000. 2nd, That our rate of taxation was not to be increased more than 2½ per cent. 3rd, That all this was so perfectly certain that we might safely embark in undertakings invoking an addition of several millions a year to our annual expenditure for interest alone; and he goes on to justify on this account the enormous burdens he was then asking permission to lay upon the people. The hon. gentleman who made those statements is now Finance Minister once

more. It is true seven years have come and gone since the hon. gentleman held the position which he now occupies. We know that in seven years every fibre of the human frame is said to be changed. Am I to understand—the hon. member for Cumberland (Mr. Tupper) can tell—that a moral as well as a physical revolution takes place in that time? Am I to understand that what was true in 1873 is false to-day? That what was a good reason for congratulation in 1873 would be a source of lamentation and mourning and woe to the Finance Minister now? That what was an admirable basis for his whole future financial policy in 1873 would be a delusion and a snare in 1880? There was one thing, however, that did not change. I had the honour of a seat in this House in 1873, and I recollect that when the remarks I have just read were delivered by the hon. the Minister of Finance, in his usual glowing style, the cheers of his followers were as loud when he boasted of an importation of \$125,000,000 as they were when this evening he announced that our imports had fallen to \$70,000,000. The hon. Minister of Finance and his supporters are well matched. There never was, I suppose, a Finance Minister who had such very accommodating followers, nor were there ever followers who had such a very accommodating Finance Minister. They remind me forcibly, Mr. Speaker, of the language of the Spanish courtiers in the old ballad of the Cid and his charger:

“Ne'er had they looked on horseman might to  
yon knight come near,  
Nor ever on a steed so meet for such gallant  
cavalier.”

And if any of them take objection to my metaphor, I would most respectfully assure them that a horse is not the quadruped to which I would of my own special choice compare gentlemen who are persuaded that the best way to increase the wealth of the community is to treble their taxation. There is no doubt one important factor in our present prosperity, to which my hon. friend's characteristic modesty has prevented his making more than a passing allusion, but which I cannot allow to pass unnoticed. We all know he was good enough to make a progress

through the country last autumn in order to see how well his policy was promoting the welfare of the people. I desire to say that I entirely repudiate the view taken by some wicked editors, who likened the hon. Minister to a commercial traveller who had filled his customers' orders and was returning for further instructions. I commend his zeal, but I may have doubts whether that zeal was wholly according to knowledge. I may have doubt whether the best means of finding out how the policy actually worked was by means of a number of interviews with different manufacturers, lasting from three to thirty minutes, according to the political predilections of the parties. I may doubt whether the information gleaned was always as strictly accurate as might be desired. Let us put ourselves in the place of the manufacturer being interviewed. Here enters the hon. Minister of Finance with his pleasant manner, and his pocket full of sugar plums for all good little manufacturers, while behind, but visible in the shadow, is the stern visage of the hon. member for North Hastings (Mr. Bowell), with the Customs cat-o'-nine-tails, and all sorts of pains and penalties ready for those wretched infidels who might fail to acknowledge that there is but one Minister of the Interior, and that the Minister of Finance is his prophet. No doubt this was a state of things eminently likely to enable the Minister of Finance to discover the truth, and the whole truth, and nothing but the truth, but yet I am inclined to think that my hon. friend's simplicity and good nature have been somewhat imposed upon in the course of his peregrinations. It is on record that in former times, in the good old days of the Irish Church establishment, a certain prelate of that Church set out on a progress through his extensive diocese, mainly, I believe, with the view of ascertaining what progress his clergy had made in converting the members of another persuasion. It is also on record that in the course of his progress he came to a parish where the Protestant rector and the Roman Catholic priest lived on terms of great amity, although the rector's congregation consisted only of his own family, a clerk and a sexton. I am happy to say that in this difficult situation the genius of the

good rector was equal to the emergency. He borrowed the congregation of his friend the priest for that occasion only, and I may add that the discerning prelate promoted him to a valuable benefice in reward for the extraordinary zeal he had displayed. I will not vouch absolutely for the facts, but I am led to believe that the hon. Finance Minister's good nature was imposed on in a similar way; and that in some of the manufactories he visited the number of parties employed was increased for that day only. I have also heard that wages were raised before the hon. gentleman came to a town, and lowered after he retired. But, Sir, like Lord Chesterfield, I only believe half of what I hear. I do not believe that the wages were raised before he came, but only that they were lowered after he was gone. Again, I am informed that such was the zeal of the workmen to get a glimpse of their great benefactor, that they actually preceded the Finance Minister from floor to floor of certain factories, in order that they might see him and also be seen by him as much as possible. As the hon. gentleman was good enough to give us a statement of the factories that were likely to open in the Dominion—particularly in New Brunswick—I would like him to give a list of those which have actually opened since the 1st of January, 1879, within the Dominion, and then we could form some idea of the actual *bonâ fide* result of the National Policy. While the hon. gentleman was disporting himself, I was not altogether idle. I took the opportunity of making enquiries throughout the various towns of Ontario as to the actual state of things; how far it was true that new factories had opened; how far those gentlemen engaged in manufacturing enterprises could report direct benefit from the increased duties. I corresponded with Ottawa, Prescott, Brockville, and some twenty-five or thirty other towns in Ontario, containing an aggregate of about 300,000 souls, and I regret very much to say that the result of my enquiries was, that although no doubt there have been the usual number of small factories started in various places, there have been likewise the usual number of small factories shut up, and those with whom I communicated

were unable to discover any benefit accruing from this policy except to two or three industries. I would ask the hon. gentleman one plain question. Is he able, after all his enquiries, to lay his finger on as many as twelve factories in the Province of Ontario, each employing 100 hands and upwards, which have opened since the 1st of January, 1879. I do not say that even if he could that would be in the least a sufficient justification for the burdens he has inflicted upon the people. But I say if he cannot do that I think the House can form for themselves a tolerably accurate estimate of what the National Policy has done up to the present time in the way of providing employment for the idle people of Canada. For my own part, Sir—I am open to correction if I am wrong—I do not believe that apart from two or three sugar refineries and cotton factories, the hon. gentleman would be able to name, from one end of the Dominion to another, so many as twelve factories, each employing 100 men or upwards, which have opened since the commencement of this policy. There is no doubt that some few individuals must reap a very great benefit from the operation of the Tariff. No doubt that when seven millions of additional taxes are inflicted upon a people, even though much may be wasted, still a large portion goes into the pockets of a favoured few; and as the hon. gentleman desires to know how we can say that the country pays seven millions while the revenue returns show no increase, I may tell him that while nobody has pretended that he has put seven millions into the Treasury, what we have asserted is that of the seven millions which he takes out of the pockets of the people of this country a very small part goes into the Treasury and the greater portion into the pockets of a few manufacturers. I have no doubt the hon. gentleman has fostered some industries—for instance the industry of smuggling, which was depressed some years ago, is rapidly reviving under the fostering influence of the hon. gentleman. Moreover, Sir, although the hon. gentleman dwelt very lightly on this point, I am afraid he will find that his Excise duties have already resulted in a great development of illicit distillation in different parts of the country, and also in the adulteration of liquors, although the hon. gentleman may not regard that as a very



serious evil. I observe that the hon. gentleman himself has, and I know his organs have, made it a matter of complaint that we have not praised him for the general rise in prices that has taken place. Although this is a curious cause of exultation so far as the consumer is concerned, I am willing, for my part, to give the hon. gentleman the credit which he undoubtedly deserves for the rise in prices that has taken place in sugar, iron, bread, fuel, tea, coffee, cloth, and cotton, and in almost all articles of prime necessity within the Dominion of Canada—and I might add that things are not only dearer but worse. The fact of the matter is that in Canada our market is so small that it is easy in many cases for existing manufacturing and industries to combine together—and I am afraid that is one of the points which put us at a great disadvantage with the people of the United States, for, however mistaken their policy may be still in the great majority of cases, their market is so large that competition enables them to secure more reasonable prices, and, as a rule, excellence of workmanship, and so to escape at least one of the difficulties which exist here. But there is another and a far more important question to be considered. We have seen how the hon. gentleman's policy affects the revenue. I desire now to see how it affects the general interests of the great mass of the people of Canada. The hon. gentleman has told us how pleased a few scores of manufacturers were with his visit. I do not doubt it in the least. I do not doubt that, apart from the pleasure of being visited by the hon. gentleman, which is a great one, these manufacturers were aware that a visit from a Minister of Finance was not a bad advertisement at the worst. And the hon. gentleman's organs have never been tired of repeating how zealously these favoured parties banquetted the hon. gentleman, and how pleasing it was to listen to the little duet between the sympathising Minister and the sympathising manufacturers— one party chanting the praises of a Minister of Finance who really felt for deserving manufacturers, and the other declaring how good and pleasant it was to find a body of patriotic individuals who were willing to support the present Ministry in return for the trifling privilege of putting their hands into the public till.

Now I would like to say a few words in explanation of the manner in which this policy affects a few hundreds of thousands of workmen and artisans throughout this country. Was it not this Ministry's special boast, was it not their special pledge that they, if they got into power, would provide plentiful wages and plentiful employment for each and every workman throughout the Dominion of Canada? Do we not know how the heart of the venerable leader of the House bled inwardly, as he himself has told us, all the time he was out of office, at the woes of the workmen? Do we not remember how the Minister of Railways was in the habit of holding me up to execration throughout the Maritime Provinces, because, as he said, his fellow-countrymen were in danger of being trampled under the iron heel of an Ontario Minister of Finance? while, as for the Minister of Finance himself, he had no words with which to express his deep sense of the importance of the question. The position of the artisan was, as he told the people of St. John, the true question of the day. I well recollect the righteous indignation with which the hon. gentleman rebuked me in that city, because, as he said, I had imposed a tax on tea which discriminated unjustly against the poor man in favour of the rich. It is true that I submitted proof that the total extent of this discrimination amounted to about one-half cent per head per annum. But it was the principle for which the hon. gentleman contended, and I could obtain no indulgence at his hands on account of the unfair mode in which that particular tax affected the workman. Now I would like to show how these hon. gentlemen have reduced their theories to practice. I do not propose to indulge in any vague rhetoric, I do not propose to indulge in any idle declamation, but simply to give the actual facts so far as they have been ascertained, or so far as they can be ascertained, showing the true incidence of taxation under this Tariff upon the ordinary artisan and workman in this country. What I mean is what these taxes compel these persons to pay over the counter as it were. I do not at all mean only what goes into the Treasury, for it is the very essence of the protective system that taxes so imposed should not go into the

Treasury but go into the pockets of certain private individuals or industries to be fostered. I cannot profess to deal absolutely exhaustively with this subject. I have selected seven classes of articles largely consumed. It is quite true that there is a very great variation in individual cases, as there always will be owing to the age, number and sex of members of families, and a great many other considerations familiar to hon. gentlemen opposite. But this one thing is certain, that under our present Tariff the more needy a man may be, the more mouths he has to feed the, heavier is the incidence of taxation upon him. I may add also that the immediate effects may not be as clearly visible as they will be in a few years, because many of the people have some past accumulations to fall back on. But though the full effects may not show themselves at once, still I think, after I have given a few examples to the House, they will see that there is great need to do something to relieve these poor people from the pressure of the burdens now imposed on them. I may remark that with a view to accommodate myself as far as I can to the wishes of the Finance Minister, I have selected two or three examples from the city of St. John, which is a place where the operation of the Tariff is perhaps as clearly felt as any other part of the Dominion. I find from an actual account stated that an artisan residing in St. John, having a family of four, and an income of \$350 a year, has to pay on the tea and coffee he consumes a tax of \$1.56; on the sugar and molasses he consumes \$6.42; on seven barrels of flour \$3.50; on five tons of coal \$2.50; on coal oil \$1.20; while on his clothing, dry goods, and articles of that description the tax amounts to no less than \$40. The result is that out of an income of \$350 this person is compelled to pay taxes to the extent of \$59.93. On seven articles alone Take the case of another artisan, having a family of five and an income of \$416. I find by actual examination—because these are persons who are prudent, temperate and sober, and who keep a pretty accurate account of what they spend—that he pays on tea and coffee a tax of

\$1.92; on sugar and molasses, \$10.40; on flour and oatmeal \$6.50; on coal, \$3.50; on coal oil about half that amount; on dry goods, etc. about \$26; in all, \$57. I take the case of another artisan, residing in St. John, with a family of six, and an income of \$520. Here I find his tax on tea amounts to \$3; on sugar, \$7.60; on flour, \$6.50; on the dry goods and clothing, which his family consumes, by actual record, \$68.25, in all (including tax on boots and shoes) \$90 or over. The last case with which I shall trouble the House is that of a man having a family of nine, and an income of \$600. Here I find that on the self same articles the total taxation amounted to about \$88. In the case of a clerk, having a family of six and an income of \$1,100 I find that the taxation on these articles amounted to \$74.33. You must remember that to these taxes must be added a reasonable proportion of Excise duties, which amount as nearly as may be to about \$6.50 for each adult male in this Dominion; and if you allow an extremely small amount for taxes on such matters as furniture, medicine, books, tools, etc., of which each family must consume some small quantity, you will find, I think, that it is not an exaggerated statement to make, that the result of the hon. gentleman's taxation amounts to this that from one-fourth to one-fifth of the income of the great majority of persons having an income of less than \$600 a year is at this present moment taken from them in consequence of the taxation imposed by this Tariff. I would like to know whether the hon. gentleman has ever considered what the result of such taxes as this may be. I wonder if he knows how many persons in this Dominion are affected by a taxation pressing so heavily on incomes below \$600. If he will condescend to examine the census returns, I think he will find that I am correct in stating that from five sixths to nine-tenths of our whole population are very seriously affected by the taxation that he has imposed, and which is utterly unprecedented at any rate in the history of Canada. The practical result of this Tariff is that whereas it is very largely from the savings of these classes that all great national accumulations are made, he will find that if he persists in

inflicting this taxation that he will not merely paralyse their hopes of accumulating any saving, but he will interfere gravely with the proper education, perhaps even with the proper nourishment of the people and their children. One of these results must follow. Either these persons must greatly reduce their standard of comfort or lose all chance of bettering their condition. I can quite understand that hon. gentlemen who have not examined this question may think that the figures I have quoted are greatly in excess of any burthen of taxation which can possibly be imposed. But they must remember that this Tariff is so adjusted that by far the heaviest rates of taxation fall precisely on those classes of articles which the poorer portion of the community most largely consume. Hon. gentlemen must remember also that the real truth is apt to be worse than the figures show. If there is one thing more certain than another it is this that the poorest man is always the man who gets the least money value for his wages. He is the man who has always to pay most for everything he consumes, whether it be a pound of sugar or an ounce of tea, or a hundred weight of coal, or a loaf of bread, and he must always pay a higher rate of interest if he gets credit at all. I cannot imagine anything more damaging or more likely to affect prejudicially the most vital interests of the country than this scheme of taxation. The hon. gentleman has so managed it, that in proportion to the poverty of the man the larger is the amount demanded from him. The poorer he is under this Tariff, the larger sum in proportion to his income he will inevitably pay. Possibly the hon. the Minister of Finance may have observed this tendency. Possibly he may design to cure it on homœopathic principles. Or is it that the hon. Finance Minister is going to turn vegetarian, or has he become a convert to the doctrine of that great economist Mr. Bundell, and inclined to believe that the great fault of our people is that they have been too well fed in the past and they must be reduced to a diet that will bring them to proper submission to the yoke he has placed upon them. I would like to read to members of the House the opinion recently expressed by a distinguished English statesman as to the mode in which taxation

ought to be inflicted on the people of a country. "It is a peculiarity" said Lord Derby at Liverpool the other day, "it is a peculiarity of this country, and I think a happy peculiarity, that the classes whose incomes are under £150 (*i. e.* \$750) the class that is who live by weekly wages may relieve themselves almost entirely from taxation if they think fit." Now I hold that is a true statesmanlike utterance. There can be no greater mistake on the part of a statesman here or elsewhere than to impose on the great mass of the people whose incomes are below the figures named by Lord Derby, any taxes requiring them to pay over a considerable proportion of their earnings either to the Treasury or to private parties. Under any circumstances (though perhaps less so in Canada than in other countries) the reward of manual labour is generally far too small. I say it is a crime and a folly to make it smaller. If these gentlemen choose to tell us that they are aiming to create a privileged class, well and good. Then we will understand what kind of a contest we have entered upon. The true aim of every honest statesman in framing a tariff ought to be in the first place so to frame it that it will give no unfair advantage to any one class over another, and most of all so to frame it that it shall not oppress poor men. The aim of intriguing politicians in every country has been so to frame their tariff that as many dishonest advantages may be gained under it as possible from whence they can obtain political influence to keep themselves in their places. It is idle and worse than idle, to say that the incidence of this taxation is compensated or can be compensated by any increased wages which can be obtained. In former times we could say in Canada with some truth, that although Canada was not a country in which it was very easy to gather together great individual fortunes, still Canada at any rate had this honourable distinction that on the whole the distribution of property was tolerably even and fair throughout the Dominion. I say that this distinction has been entirely taken away, and I warn hon. gentlemen that by their further oppression they will bring down upon themselves consequences which they may little anticipate. Sir, men have risen in revolt for far less cause than to free themselves from

the burdens now inflicted on the community, and fortunate it is that our people are patient and law-abiding in no ordinary degree. Still, I warn hon. gentlemen that there is a point at which even the most patient and law-abiding people might be tempted to take the law in their own hands. Passing from this question I desire to review the working of certain special anomalies in the Tariff which, as was pointed out last year, could have but one result. I see that the hon. gentleman proposes to add somewhat to the tax on coal. Now it may be interesting to ascertain what, up to the present time, this tax, which was not imposed for revenue, but to aid miners in Nova Scotia and to foster Intercolonial trade, has done for the objects which the hon. gentleman then stated he had in view. On looking over the hon. gentleman's trade returns, I see from the time the coal duties were imposed, to the 1st of February, 1880, the returns showed 937,000 tons imported in ten and a-half months, and in the whole year 1878 only 892,000, so that under the stimulating effect of the 50 cent. duty we have already an increase of 45,000 tons over the quantity imported when there was no duty. What has this done for the miners of Nova Scotia? One thing is perfectly clear, not a ton more has been raised, but everything these miners use has been increased in price. I would like to call attention to the peculiar folly of this tax, and what I say of it is equally true of the tax on flour and iron. It does not merely oppose every principle of political economy, but every principle of common sense. One of the main objects of a good financier should be to take as little as possible out of the people's pocket, more than he puts into the Treasury. Now, what are you doing here? In taxing coal you tax motive power. You tax the wages of the workman and increase the cost of transport. In fact, I suppose if the full effect of this tax could be traced, through and through, instead of 50 cents, it would prove to be 75 cents or more taken out of the pockets of the consumer. I was astonished to hear the hon. gentleman lay down the doctrine that you could balance the loss such a tax inflicted on one class of the community by inflicting an equivalent burden on another at the opposite extremity of the Dominion.

Does he mean that if you take 50 cents from the Nova Scotian fisherman for each barrel of flour he consumes, that he is fully compensated by your taxing an Ontario artisan 50 cents on every ton of coal he burns? And if this is his doctrine, what will he do for the workingman of St. John's, who has to pay both taxes? This is a most wonderful specimen of financial balancing of accounts. Then the hon. gentleman told us of the beneficial effects of the differential tax on tea. What are the facts? In the first six months of 1878-9 we imported 6,070,000 lbs. of tea, the duty being \$341,000, and in the same period of 1879-80, 6,063,000 lbs. of tea, but only received a duty of \$315,000, showing a reduction of \$26,000; in other words the people pay 10 per cent. more and the revenue received \$25,000 less; and when he talks of our direct trade with China and Japan, the hon. gentleman knows quite well that the only result has been that certain American ships on certain American lines of transport, have brought tea from China and Japan by San Francisco and New York and by no other way, and I am very dubious indeed whether the men who have clamoured for this imposition of a differential duty on tea will not find that they have simply invited American competition. As to the tax on spirits and wines the hon. gentleman's returns show that he received in the first half year of 1878-9 a total of \$613,000 on wines and spirits, while in the half year, ending on the 1st of January, he got only \$533,000. I suspect that the hon. gentleman will soon find that it is utterly impossible to impose very heavy duties in that quarter without increasing, smuggling or diminishing consumption; and although we do not expect him to know much about this special subject, surely one of his colleagues might have given him a hint as to the evil results caused in that direction. I much fear myself, that what between the joint efforts of the Minister of Finance and the phylloxera, good wine will soon become a fond tradition of the past. But passing from these minor matters, we come to, perhaps the very finest financial exploit of the hon. gentleman, that "greatest, grandest, sweetest" effort of his peculiar genius, the duty on sugar. This is a

grand double monopoly. There is first the monopoly of refining or washing the sugar itself. There is secondly a complete monopoly of all speculation in this article, one of absolutely universal consumption. Now the results of the hon. gentleman's policy have been so very remarkable that I must call the special attention of the House to the subject. Our average consumption of sugar may be put at about 110,000,000lb., from which we got, under the old Tariff, about \$2,500,000 or \$2,600,000 a year. Now we have imported during the last six months 64,000,000lb. of sugar, as against 61,500,000lb. which we imported in the corresponding six months of 1878-9. In 1878-9, during these six months, we received \$1,353,000 of duty, according to the hon. gentleman's own Customs returns, and in the last six months of 1879-80 \$1,080,000, being a loss in six months of just \$270,000, or say \$540,000 a year as compared with the results under the old Tariff! That is to say, the hon. gentleman has added from 25 to 50 per cent. to our old rate of taxation on this article, and he has lost at least 25 per cent. of our former revenue. This is a veritable triumph of genius. Let us see what we do get in return. We have got a sugar refinery in which some 300 persons are employed. We find, however, at this moment, that if there were no duty on sugar, we could obtain sugars from the Clyde or New York for from 3 to 3½ cents per lb. less than we have to pay at present, so that about 3½ cents per lb. is imposed on that article, in taxes which do not come to the National Treasury, but partly to the Treasury and partly to a combination of sugar refiners, in return for which taxation representing a total burden on the people of Canada of fully \$3,500,000 a year, perhaps \$2,000,000 may go into the Treasury and \$1,500,000 to employ about 300 men in Montreal. In other words, we pay for these men altogether something like \$5,000 a year per head, just about as much as the salary of a Nova Scotia Chief Justice, and just about as much as the salary of a Cabinet Minister in former days. Why, Sir, this million and a half would nearly equal our total deficit and nearly double double the total amount of the hon. gentleman's most odious taxes on bread

and fuel. And his justification is that the sugar refinery gives employment to 300 or perhaps 400 hands! Let me enumerate the achievements of the hon. gentleman. Apparently the only taxes which he did not impose for purposes of revenue, but for the encouragement of intercolonial trade (which by the way he now admits they have not done), are the only ones from which he has really got any money. Apparently too, the only two leading industries, lumber and shipping, which he did not try to foster, are the only ones in which there is visible any clear or substantial improvement. I might add, Sir, that he has entirely and absolutely lost the whole benefit of the great rise in prices which has taken place throughout the world. In spite of all the advantages that have accrued to the revenue from that advance, he himself admits that the Tariff has failed in supplying the deficit, and he has failed utterly in showing us where we are going to obtain that home market on which he was wont to insist so much. It is true that, although he gives a different explanation from that of my hon. friend behind me, he has succeeded in half depopulating the city of St. John, and it is also true also that whereas it ought to be the special aim of a Finance Minister to take no more from the pocket of the taxpayer than he puts in the Treasury, the hon. gentleman has been even better than his word in the opposite direction, seeing that whereas he told us last year that he was obliged to put on \$7,000,000 taxation in order to get \$2,000,000 of revenue, it now appears that he has put on the whole of the \$7,000,000, but that we have not got one cent of the two millions he promised. I have no wish to be hard on the hon. the Minister of Finance. We know perfectly well whom the hon. gentleman represents. We know pretty well why he was chosen for the place he now fills. We know it was a case of clear and stern political necessity. We know that when the last election was pending, it was absolutely necessary that a certain class of influential voters should have some decent pretext for supporting the present Administration, and the hon. Minister of Finance was expected to afford that pretext. We know that it was also necessary in carrying out the

policy proclaimed last year, that a Finance Minister should be found who would combine these requisites. He must be a man of good position, of plausible address, of thoroughly respectable character, and very obliging disposition, and lastly, must have a mind perfectly free from all regard for, and indeed from all knowledge of those antiquated doctrines of political economy which the hon. gentleman has trampled under foot with such remarkable results. Sir, let us be just. Given such a situation, where could a better selection than the hon. gentleman's have been made? The hon. gentleman has alluded to the general results of his Tariff. He has alluded to its results to agriculturists, lumbermen, fishermen, ship-owners, and other persons engaged in the like callings. I shall briefly review the results of his policy. Everyone knows what these hon. gentlemen promised. The agriculturist, they said, should have better prices all round. Everyone knows that besides they were promised a large additional home market. Now, Sir, I believe it is true that so far as the article of wheat is concerned—no thanks to the hon. gentlemen opposite—there has been a considerable rise in price. This was not unnatural in view of the famine in Europe. But I happen to reside close to a great barley-growing district. And I know very well that the price of that cereal, which used to be about \$1.00 a bushel, has fallen during the last year to from 50 to 60 cents. While, if we go into a comparison of the prices that ruled for most articles that the farmer produces before the imposition of this Tariff and after we find some remarkable results. I find that the difference in the price of wheat in Chicago and Toronto before the imposition of the Tariff, was 11 cents in favour of Toronto, and I find by the last quotations, for the month of January, that wheat in Chicago was then 4 cents higher in Chicago than in Toronto. Before the Tariff was imposed, Toronto had the advantage of 14 cents over Chicago in the price of oats, but now Toronto has only an advantage of 1½ cents over Chicago. Now with regard to the price of rye. Toronto had an advantage of 10 cents per bushel over Chicago before the National Policy; now

the price is 5 cents in favour of Chicago. I do not pretend to say that there are not other causes than the National Policy for this difference. But these hon. gentlemen and their friends and supporters told our farmers and everybody else that the inevitable result of the imposition of this Tariff would be a rise of prices in those articles to a far higher figure than before; and although the result I have stated may not of itself condemn the National Policy, it does unquestionably condemn the men who made those promises as having either talked of things they did not understand or having deliberately made false promises to the people. As to our home market, where is there an agricultural county in Ontario which has received any perceptible benefit from the development of any industry in its midst? Hon. gentlemen opposite say that their policy is due the improvement in the prospects of the lumbermen of this country. Does the hon. gentleman pretend to say, after imposing heavy taxation on every article employed in the production of lumber, and largely diminishing the purchasing power of the wages of the lumbermen, he is entitled to claim credit for an improvement here? Does he pretend to say that he has benefited any of the great transporting industries which also have derived considerable advantages from the causes I have pointed out? And lastly, have the great bulk of manufacturers any cause to thank these hon. gentlemen? I know very well that some of them may have derived some temporary advantages from the National Policy so-called. But I also know that a large number of the best of our manufacturers are fully convinced that this policy is a great injury to them. They find that the cost of the raw material has increased, that in addition they will have to raise the wages of their workmen; while, on the other hand, they find that the power to buy of the customers with whom they deal has diminished under the effects of the Tariff. They find that they cannot raise their home prices sufficiently to compensate them for the increased taxation, and that they fight at a disadvantage in the struggle for foreign markets, and that all the hopes held out to them and to other classes are fast proving themselves an utter delusion. The hon. gentleman said last year in one of his speeches that the agriculturists of

this country bear too small a proportion of the taxation.

SIR SAMUEL L. TILLEY: I did not say so. I said they did not pay as much as other classes.

SIR RICHARD J. CARTWRIGHT: I say that if the hon. gentleman had known, as he ought to have known, how much the farmers of Ontario—of those of his own Province I cannot speak so accurately—contribute to the Revenue, he never would have made the assertion that the agriculturists of Canada do not pay as much as other classes. But even if that were the case—assuming it to be a fact for argument's sake—he may console himself with the reflection that that reproach upon the farmers of Canada has been for ever taken away, for, under his Tariff there is no one thing, except the food which the farmer raises and consumes, which is not and will not continue to be most heavily taxed. And, Sir, his Tariff hits these men in another quarter also; for, in addition to being heavily taxed, their charges for freight are considerably increased seeing that the hon. gentleman at one and the same time has added to the charges for the transportation of their grain, while by diminishing the imports he is virtually compelling the farmer to pay freight both ways. There is one cause of this great mistake which is patent enough to everyone who has examined the inception of this so-called National Policy, and that is the unfortunate and silly copyism of the United States which marks every feature of this Tariff. I say, Sir, even if the United States were right in their fiscal policy—which I deny—that is no good ground for believing that we would be right in copying them. When hon. gentlemen opposite hold up the conduct of the United States as a model for our guidance, they forget entirely these important facts—that they have a vastly greater market than we, (which, of itself, does away with a large amount of the mischiefs incidental to protection,) and that they have an enormously greater range of products; and they forget also that the United States are virtually a confederation of thirty-nine or forty nations, which have the most perfect system of Free trade on earth among themselves, and for that reason one of the main arguments on which the hon. gentlemen opposite de-

pends, is in its essence entirely fallacious. I say with regard to the United States that a people possessing their natural advantages would, long ere this, have monopolised a vast proportion of the manufacturing and carrying trade of the world, had they consented to adopt a reasonable fiscal policy. As it is, what is the case? Why, after a protection of one hundred years or more, their iron manufacturers are unable to make a steel rail that can enter into competition with the English article, and they now have a duty in their favour of about 100 per cent. Look at the results to the shipping trade of the United States. Very recently I had occasion to examine a return, showing the number of vessels passing through the Suez Canal. Of some 1,400 ships of large burthen, 1,280, as nearly as I can remember, bore the flag of England, the remainder being distributed in various proportions among several Maritime Powers, Japan and the United States contributing one vessel each to the quota. Look at the proportion of manufactures exported by the United States. After all they have done to promote native industry, how utterly insignificant is the proportion their manufactures bear to the natural products they export. Now I desire to say a word or two upon a point on which the hon. gentleman has dwelt at great length, that is, the true condition of our trade relations with the United States. I doubt, Sir, very much, the wisdom of the course he has taken in devoting a considerable portion of his Budget Speech to show that we have considerably reduced our trade with the United States, and that by our Tariff we discriminate against the United States and in favour of Great Britain. If there has been one subject more utterly misrepresented than another by these same hon. gentlemen, and their organs and supporters, it is the real position of our trade with the United States. The fact is that the large nominal balance in favour of the United States is almost wholly composed of a great variety of articles passing through Canada from the United States to Europe, or else articles from foreign countries passing through the United States to us. We sell to the United States quite as much of our own productions as we take from them, and the result shown by the figures

SIR RICHARD J. CARTWRIGHT,

the hon. gentlemen are wont to quote is merely owing to the misleading mode of entering the items in our trade and navigation returns. I see that our annual importations from the United States last year were \$43,739,000. Of this agricultural products, animals, and a certain quantity of wood in transit represented \$10,530,000. There came to us through the United States from other countries, various articles, including hides, wool, etc., amounting to \$2,770,000, while we imported of bullion in excess of our exports something like \$900,000. In all of our nominal imports \$14,200,000 come under the categories I have described. As regards our trade with the United States, therefore, our genuine imports from that country in 1878-9 were \$29,500,000, (including a large amount for which they were simply middlemen for our own special convenience,) while our exports amounted to \$27,365,000. Our imports from Great Britain were \$31,000,000, while our genuine exports were \$25,800,000. It is plain, therefore, that the parties who assert that the balance of trade has been largely in favour of the United States, and against us, argue under an utter delusion as to the relations really existing between the two countries. The hon. gentleman dwelt at some length upon his desire to sustain British connection, and he likewise told us that it was entirely a mistake to suppose that British statesmen had anything but the most friendly feeling toward the people of Canada. I am willing to believe that this is the case, in fact I myself might know it to be so, but for all that it would be a great error to believe that either the statesmen or the people of Great Britain look with any degree of pleasure or satisfaction on the policy Canada has adopted. The Marquis of Salisbury, who will probably succeed the present Prime Minister on his retirement, has spoken in this fashion on the late conduct of the Dominion of Canada:

“When you look at the map of the world you see that all the countries we trade with are not foreign countries, that an enormous tract of it owns the sovereignty of Her Majesty, and we naturally ask, are there the same insuperable obstacles, the same dead wall of protection, the same hopelessness of the spread of sound economic doctrine? I speak in a moment of deep discouragement, because one of the most important dependencies of the Crown, Canada, has adopted a course which we all must deeply

regret. The opinion has been expressed by a distinguished statesman, with whom I do not usually agree, that this act of the people of Canada will make a deep impression on the minds of the people of this country, and from that judgment of his I cannot dissent. I think it will make a deep impression in their minds, and I think it will modify their feelings. But hoping our brethren beyond the sea will take a wiser and more liberal view of the tie that unites us, and of the commercial advantages which a liberal estimate of our relations will secure for both, I pass on to the dependency over whose action we have a direct and predominant influence.”

Well, Sir, I am of opinion that the Marquis of Salisbury is as likely to be correctly informed as to the feeling of the statesmen and people of England as the hon. gentleman is from any evidence he could have secured in his somewhat hurried visit to the Mother Country last year or the year before. Nor do I think it will very greatly impress the people of England, in view of the large diminution of their trade to this country to be told that although we have shut them out to a very great extent we have shut out the people of the United States to a much greater extent, in both cases to our own serious loss and detriment. The hon. gentleman alluded to the former prosperity which we enjoyed in this country. I have pointed out that, to a very considerable extent, what he calls solid prosperity was in reality a period of inflation, and I desire to call the attention of the House to the fact that it was during the time when a protective policy was in force—from 1858 to 1865 during the very period when our minimum tariff was 20 per cent. and much higher on many articles—we had those serious and extraordinary deficits to which I called attention in the opening part of my remarks. And it was not until we threw overboard our protective tariff that prosperity returned under an average revenue tariff of 15 per cent. In some respects it seems to me our position is closely analogous to that we occupied at the commencement of Confederation. No doubt there has been a great weeding out among our commercial classes; no doubt some people have had to practice economy to an unpleasant degree, but there has also been a good deal of solid, substantial improvement in many directions. I look forward with considerable hope to the future; I believe there would be an excellent chance for Canada to rally



had it not been for the unfortunate measures adopted by the present Government, under the delusion that they could enlarge our home market. I fear the benefit we might have gained and the lesson we ought to have learnt have both been thrown away. The Minister of Finance must know that he has been on the very verge of a precipice during the past year. Had our harvest been only an average one, had the harvest of the other side of the Atlantic been even an ordinary one, he would have run a very great chance of having his deficit increased by one or even two millions. He has escaped—no thanks to his own foresight or policy, but to a combination of favourable accidents, which may not occur again. I think it quite possible that the development which seems likely to take place in the North-West will aid us to a very great extent. I think it likely that their plan of inviting English tenant farmers to examine the country—and this is one of the few points on which I am able to commend the action of hon. gentlemen opposite—and the probable break-up of the English land system, may bring us considerable advantages. But I would ask the Finance Minister and the House what possible connection can the National Policy have with either of these causes of prosperity. I said just now that our position reminded me of that in which we found ourselves in 1867-8. I desire briefly to summarise our financial position since that period, dividing it into three main periods: (1) The administration of the present First Minister from 1867 to 1873; (2) The period when my hon. friend from Lambton held power; (3) The period from the accession of the present Ministry until now. In the first instance, everybody who knows the history of Canada will know that never had any set of men such magnificent opportunities as the First Minister and his colleagues from 1867 to 1873. Unhappily, our history records not how these opportunities were taken advantage of, but how they were misused; how our very prosperity was made a pretext and a means for enormously increasing the annual expenditure, and committing us to stupendous engagements, the like to which no nation in our circumstances or possessing our population ever before thought of taking

upon themselves. Then, Sir, came the period when my hon. friend from Lambton was called upon to take the reigns of power. Sir, that Government came into office to find our annual expenditure monstrously swollen, to find, as I said, a vast mass of engagements undischarged and in a very short time thereafter to be called upon to confront a world-wide commercial depression, resulting in a most extraordinary depreciation in the value of almost all those articles from which our revenue was derived. And I say to these hon. gentlemen that we are not afraid to compare our conduct during that period with that of any other Government in similar circumstances and to show that we faced all these difficulties fairly, though we were not, we could not be, able entirely to avert the existence of deficits; and hon. gentlemen will find in spite of all their assertions that they will not be able to avert deficits under far more favourable circumstances. But to a great extent we had succeeded in clearing away those entanglements, and the road was open to a return to prosperity with a small increase—probably without any increase at all—to the national burdens. And I say the special fault of these gentlemen has been, that instead of allowing this to take place they have chosen to adopt a radically false system, a system which some among them must know to be radically false, and which must, I fear, issue in plunging them and the whole country yet deeper in difficulty, deeper in perennial deficits than ever. Now, Sir, we have commenced the third period. These gentlemen have come back, having promised all things to all men, and most undoubtedly, so far, the fulfilment has been of a very remarkable kind. Up to this time, as I said before, the way in which these promises of returning confidence and returning prosperity have been fulfilled has been by the multiplication of bankruptcies and by the destruction of several of our banks, by the very serious deficit of the past year and by the promise of more most serious deficits during the two years succeeding. We have had imposed upon us a huge burden of taxation; we are committing ourselves to huge undertakings—far greater than, in my opinion, our present resources war-

rant us in undertaking; we have thrown away all the gain our revenue might have received from the upward turn in the market, and we have formally adopted a policy which may be defined as especially adapted to encourage thieving, bribery and corruption and to discourage honest industry. But, apart from the results from a moral point of view, it cannot be denied that there are very serious risks ahead of these hon. gentlemen. So far as they do succeed in creating a home market, it is inevitable that they must largely lose revenue. It is inevitable that, in such case, they must have recourse, as I see they propose to have recourse, to a large issue of money on the security of the Government and they must dispense with all those safeguards which were formerly required, and which were not one whit too great; or they must have recourse to fresh taxation on the prime necessities of life. In these very Estimates submitted to us we see, in spite of the enormous increase of our annual expenditure, that they are about to commit us to a wholly unjustifiable expenditure in British Columbia. We know that throughout the whole of the Federal Provinces are demands being made on the Dominion Treasury which they will find it very difficult to resist, the more so that they themselves have been the very parties who have originally encouraged these demands. Had not the Minister of Finance chosen in 1873, at the very moment when he was incurring other enormous liabilities, to show the various Provincial Governments that by putting sufficient pressure on him they could obtain relief from the Dominion Treasury, I believe that not only our financial position but that of the several Provinces would have been infinitely better than either is to-day. What he then did was substantially to tear up the whole financial basis of our Confederation, and he has only himself to thank if, as I fear, those persons whom he formerly taught how to make raids upon the Dominion Treasury will turn upon him at the precise instant when it is most inconvenient to meet their demands. I say nothing, Sir, at present on the grave political and social questions which the action of that hon. gentleman is stirring up further than this, that I believe that no one thing

could have been done more likely to foster and encourage a spirit of annexation than these hon. gentlemen's policy. That policy affords the greatest possible leverage to every man who desires to break the connection between this country and Great Britain. I say no possible reply from an economic standpoint can be made to the arguments of these people so long as we preserve a Protective system; and I know perfectly well that not a few of these hon. gentlemen's advisers support and aid them in their course, because they believe that will be the inevitable result. It is true that the present Ministry affect to deprecate this, and they say—and I am willing to believe them—that they have no such intention. But I warn them that, if the next harvest should prove to be an unfavourable one, they will run a great risk of creating a most formidable agitation, for which they alone will be responsible, but which it will be impossible for them to control. It is possible that good may come out of evil. It is possible that, as the misgovernment and mismanagement of the Administration which ruled in Canada from 1855 to 1862 resulted in the scheme of Confederation, from which, in spite of all that has come and gone, I yet trust much benefit may accrue to our country, so it may be that the enormous pressure of taxation under this Tariff on the poorer classes of the community may lead to a better readjustment of our whole fiscal system than we have ever been able to bring about before. It may be also that the conduct of these hon. gentlemen in excluding British manufactures, in practically setting at defiance the whole policy of the Empire, may lead to a reconsideration of the terms of our relations and those of other Colonies to the whole British Empire. And it may be that the people of Canada will at last learn a lesson, after a year or two's experience of those gentlemen's panacea, and that they will come to understand that, if a people wish to increase their receipts, the best mode is not by bolting and barring their doors against their best customers; and that, if they wish to diminish their expenditures, they are not likely to attain that end by taking back into their employment servants who had been dismissed previously for flagrant dishonesty. I observe that hon. gentlemen have on various occasions put

forward a pitiful plea for time. It will not do, they say, to pull up the seed to see whether the tree has taken root. Well, Sir, all I have to say is this, that was not the language these hon. gentlemen were in the habit of using eighteen months or two years ago. Then we heard nothing of the necessity of waiting one or two or three or five years before seeing the true result of the National Policy. But besides I say that this plea is utterly at variance with the actual facts of the case. I say that there could hardly by any possibility be an occasion—if there was any necessity, as they averred, for artificially developing the manufacturing industries of the country—when there were better opportunities of doing so than in 1878. Never was capital more cheap or more abundant, not only here, but in England and the United States. Never could raw material or machinery or good buildings be obtained more cheaply than in that year. The whole subject had been thoroughly discussed for some years, and every man who was at all likely to engage in such occupations had ample time to make up his mind how best to employ his money. I must admit that I have been considerably astonished at the almost complete and total failure which has attended their efforts. It is only explicable in one way, namely, that the ground was so fully occupied before that there was little room in Canada for the establishment of new manufactures, unless indeed at enormous cost. That, I believe, is the true explanation of the failure of these hon. gentlemen to establish any new industries, giving employment to any considerable number of men, in spite of the stimulus which their Tariff affords. Of course we all know that some industries will be established from time to time. There is always considerable natural growth in a country like this, and it may well be, after so long a period of depression as that which existed from 1874-5 to the present time, that some development of the manufacturing industries of the country may take place, that they will share with others in the natural improvement which may arise from other causes. But I say apart from this there is no reasonable chance that these gentlemen will be able to establish any considerable number of new industries in Canada unless, as in the case of sugar and

cotton, they are prepared to inflict a most enormous taxation on the whole mass of the people of Canada for the sole benefit of one or two such manufacturers. And I tell them also that, though they may postpone the day of reckoning, that day is not likely to be very distant. I say that the result of the victory of June, to which my hon. friend referred, shows what is the true opinion of a large section of the Dominion. These gentlemen now allege that the case is very different, that their policy was not on trial. What is the reason then that hon. gentlemen bestirred themselves so much; that they went to the chief cities of Ontario before the election, and declared in the most public and emphatic manner that they must regard its result as a verdict for or against them and their policy. And now they tell us that there is a difference. And most undoubtedly, Sir, there is. The verdict of the 17th September, 1878, was a verdict taken in the dark. That of the 5th of June last was taken after the country knew how they proposed to redeem their pledges. One verdict was given by a people, befooled, bewildered and blinded by sophistry and false promises of all kinds; the other, after they had awakened to a true understanding of what these gentlemen meant, after they had begun to perceive the fact that, if this policy was put in force for any length of time, it meant the utter extinction of all chance of establishing a separate national existence on this continent. When they awoke to find that the burdens these gentlemen heaped on us were equal to the whole weight of our existing national debt, and that they had utterly failed in providing employment for any large number of the people, then, Sir, they reversed the unfortunate verdict which the specious promises of these hon. gentlemen had induced them to give. Sir, we take our appeal from the people intoxicated and bewildered, to the people awakening to actual realities. I say that the result of these men's policy is and cannot be anything else than to make us retrograde most seriously in all which most pertains to real civilisation; and moreover, that, as was well said in the petition from the city of St. John, which was presented to the House today, it is a practical violation of the Federal compact, on the faithful maintenance of which the only chance of preserving our

Confederation depends. I say that the effect of this Tariff is to make robbery legal, and this to high political preference ready connivance with the plunderers of the people, and that every day and every hour only shows more clearly how utter is their failure to make good their former pledges, and how strictly accurate is the statement that they have obtained power under false pretences, and no more represent the true will and opinions of the people of the Dominion, than it is now most clearly evident they do those of the majority of the great Province of Ontario.

SIR CHARLES TUPPER: After the lucid, able and satisfactory statement made to this House to-day by my hon. friend the Minister of Finance, and the highly extravagant and arrogant speech delivered by the hon. gentleman who has just taken his seat, I do not, at this late hour of the night intend to trespass very long upon the indulgence of the House. But, Sir, I think it would hardly do to permit an hon. gentleman occupying the position which the hon. member for Centre Huron (Sir Richard J. Cartwright), the late Minister of Finance, occupies in this House, to take such liberties with the intelligence of this Assembly, and the people of this country, as he has ventured to take to-night, without making such a reply as is demanded. A stranger listening to the hon. gentleman who has just resumed his seat would suppose that he occupied in this Parliament, and in this country, the position of a man whose past record was such, and whose acquaintance with the financial affairs of this country was such, whose administration of the high office he held was such, as to entitle him to the respectful consideration and attention of those who listened to him. But, Sir, the hon. gentleman has been too long in this House, the hon. gentleman too long occupied the distinguished position of Finance Minister of this country, to permit him thus to trifle with his own past record. The hon. gentleman read from a speech made by my hon. friend when he was Finance Minister in 1873. Let me direct his attention for a few moments to that literature which he values above all other literature extant, the Budget Speeches of the hon. gentleman himself. He will find there such a mass of contradiction, such a mass of inconsistencies, such a mass of

failure in all the predictions he has offered to Parliament, as the record of no public man in any country can parallel. The hon. gentleman forgets that the people of this country have not forgotten that record. He forgets that the people know the past record of the country. He forgets that they know that, after seven years of the most successful administration that ever crowned the efforts of any Government in this country or out of it, my right hon. friend the First Minister went to the people of Canada and obtained a good working majority to enable him to continue to carry on the Government of this Dominion. The hon. gentleman forgets that which is known to himself and to every other intelligent man in Canada, that a party which in their struggle for power trampled beneath their feet all the principles they had maintained in Opposition, and by the most corrupt procedure succeeded in drawing into the ranks of a coalition which they had long denounced, sufficient strength to enable them to seize power, and having seized power sprang a midnight attack upon the people of Canada without notice that such a thing was intended, and at a time when a great excitement had been created with reference to a matter which, when it came to be properly understood, was regarded by the people of Canada as not demanding condemnation at their hands, succeeded in snatching a verdict in their favour. The people, after five years' discussion, restored my right hon. friend and his colleagues to the proud position they now occupy. The hon. gentleman forgets that, in an unfortunate hour for the Opposition, the late Premier, in an evil hour for his party, in an evil hour for Canada, selected a renegade Tory as Minister of Finance, a man who had openly on this floor admitted that he left his party because he could not obtain the position in it for which he thought his talents fitted him. From that hour Canada, step by step, sank from the high position it had occupied, until the indignant public sentiment of this country hurled the hon. gentlemen and the Government from power. If there is a man in this House, or in the country, who ought to have some little consideration when he is challenging and investigating the efforts of my hon. friend, who was called in the great emergency of his country

to endeavour to lift it out of the slough of despond into which the management of the hon. gentlemen opposite had sunk it, it is the hon. gentleman himself. These were the circumstances under which my hon. friend was called upon to assume office, and under which the Government of which he was a member were called upon to devise means by which Canada would again be restored to that proud and prominent position it occupied when hon. gentlemen opposite succeeded to power. The hon. gentleman has ventured to talk of the increased expenditure of the Government, under the Administration of my right hon. friend during the period he was in power before. But he forgets to tell the House that our largest expenditure—largely increased by the hon. gentleman's own acts after he succeeded to power—was \$22,300,000. I showed to the House, in the speech I made in reply to the hon. gentleman in 1878, that, if he deducted from the amount of \$23,316,000 the amounts not included in his own expenditure, it would reduce the amount for which the Government of my right hon. friend was responsible to \$22,300,000. What did the hon. gentleman do? He was the Finance Minister of a party that had been filling the House and the country with the cry of economy. He was the Finance Minister of a party that had been imploring the people of Canada to give them an opportunity of showing how economically they would govern the country. But what did they do? Would hon. gentlemen believe it? The first Estimate the hon. gentleman brought down was between \$26,000,000 and \$27,000,000. The Statutes of 1874 will show that this gentleman, who now charges my hon. friend here with wild extravagance, because he has an Estimate of \$25,000,000, with \$1,000,000 more interest to pay, and \$600,000 more sinking fund to pay than were required in his Estimate of 1874, carried an Estimate in that year of \$25,168,000. The hon. gentleman ventures to talk of deficits. Well, there is no subject with which he is more familiar. He is a master of deficits. There is no man in this country or in any other, that could be found to equal him in the manufacture of that very interesting financial feature, deficits.

SIR CHARLES TUPPER.

He says that my hon. friend was guilty of great imprudence in giving banking facilities to parties who were going to pay money into the revenue, and which resulted in a large loss of revenue. The hon. gentleman himself put into the mouth of the Governor-General the statement that they were going to change the Tariff, thus giving an invitation to rush to the Custom-house. The hon. gentleman finds it convenient to deny the statement of the hon. the Minister of Finance, who proved beyond controversy that \$1,300,000 were discounted in consequence of our intention to change the Tariff. The hon. gentleman will find that in 1875 he made identically the same claim that there would have been an enormous deficit at the close of the financial year, but for the fact that, when he added \$3,000,000 to the taxation of the country, the fact that he was about to do it being proclaimed, poured into the Treasury from Customs and Excise something like \$1,700,000 additional Revenue. Did the hon. gentleman tell the people that he was going to entertain them with a series of deficits? No. He said "A Finance Minister that will allow a deficit to occur is unworthy of the confidence of the country, because its prosperity depends on our ability to meet our engagements." He came down to the House and said, "I have made up my mind not only to cover all expenditures, but to provide for the construction of the Pacific Railway, and I want \$3,000,000 of additional taxes to enable me to do it." And what did he do? Having got the \$3,000,000, he came back to the House begging for more taxes. The hon. gentleman reads a good deal. I wish he would read a little more; I wish he would read some of his own speeches made at that time. He has criticised the conduct of my hon. friend the Finance Minister, and accused him of being aided by my hon. friend Sir Alexander Galt, and that to the detriment of the country.

SIR RICHARD J. CARTWRIGHT: No, no.

SIR CHARLES TUPPER: He says "No." Why, did not the hon. gentleman go back to 1858 for the express purpose of showing the disastrous condition of the finances, brought about, as he alleged, by my right hon. friend on my right, with Sir Alexander Galt as Minister of

Finance? Every word—although covered with pretended eulogy—was a stab deep and intentional at the reputation of Sir Alexander Galt. It is base ingratitude to attack a gentleman, whose services alone enabled hon. gentlemen opposite to obtain the only success of their five years' administration, and, if they had had Sir Alexander Galt at the back of the hon. gentleman who acted as their Finance Minister, the people of Canada would now have had reason to be thankful; but the hon. gentleman is unwilling to be taught; he is above receiving instruction on questions of finance, or even listening to suggestions. It was the misfortune of that Government that the hon. gentleman never was susceptible of being instructed, because he was deluded by the idea that he possessed the concentrated wisdom of the world on financial matters. Had he had Sir Alexander Galt at his back, it would have been better for Canada. He attacks Sir Alexander Galt, and accuses him of having sacrificed his reputation in his endeavour to support the policy of this Government. Does the hon. gentleman forget that Sir Alexander Galt wrote over his own signature denunciations of the fiscal policy of the hon. gentleman opposite; and that when the hon. member for Bothwell (Mr. Mills) misrepresented his opinions he was met by the unqualified denial of Sir Alexander Galt? The hon. gentleman must not suppose that we have forgotten the fact that he sat here three days paralysed by the letter which Sir Alexander Galt addressed to him in repudiation of what he had attributed to him. This hon. gentleman, who has been charged with sacrificing reputation to policy, came to the rescue of Canada at the most critical period in the history of the country, and by his Protective Tariff of 1858 did more to advance the interests of this country than has been done by any other public man. Let me come back to the deficits. The hon. gentleman in 1874 said, "Give me \$3,000,000 of additional taxation, and I will maintain a surplus;" but he came back to the House in 1876 with a deficit of \$1,900,785. This is the financial Solon that is going to become a professor of finance, and ask the world to sit at the feet of Gamaliel. He said, "I must have half a million more"; and the House gave it to him, but did he come back with the surplus he had promised?

Did he come back with a "moderate surplus?" The hon. gentleman might read his Budget Speech to refresh his mind. I think it would do him good. He requires to be taken down a little from that high elevation to which he seems to have soared to-night. I did not accept his promise. I had learned how utterly incapable the hon. gentleman was. I had followed and exposed him from year to year telling the House how little reliance was to be placed on any calculation he made; and they found that I was not very wide of the mark; for, in 1877, he was compelled to confess to the people he was suffering from the same chronic ailment, and had another deficit of \$1,460,027. In 1878 he found himself confronted with another deficit of \$1,128,146, and his last year culminated with a deficit of no less than \$3,248,000, reduced to \$1,948,000 by \$1,300,000 obtained by the change of Tariff. Thus the hon. gentleman's deficits in the five years of his Administration amounted to \$7,736,958; and if he wants authority he will find it in the Public Accounts, brought down under his own hand. But more—I have an official letter addressed to me by the Auditor of the Intercolonial Railway, the hon. gentleman's own auditor, showing that these deficits were reduced by hiding away an item of \$390,000 of revenue charges, placed to capital account on the Intercolonial Railway; and I will give him Mr. Tims' letter proving it. This item swells the total deficits of the hon. gentleman to \$8,126,958. The hon. gentleman may well talk of deficits, when he can boast of having accumulated \$8,126,958 of deficits in those five years. I will ask him if any person is going to accept him as a great financial authority. Is this the man who is going to save Canada? Is this the man who is going to become the champion of the people of this country?—a man who came to power with an overflowing Treasury, who, in the period of five years, imposed \$3,500,000 of additional annual taxation, and had at the end of that period an accumulation of deficits amounting to over \$8,000,000,—the man who had for all time to come added an additional burden of between eight and nine millions of dollars to our permanent debt, instead of having an annual surplus of \$2,000,000, as

we had, to reduce the debt of the country? This is the man who has the audacity to sneer at the Finance Minister of this country—who is endeavouring to relieve the country from the embarrassments brought upon us by our predecessors—this is the man who presumes to lecture the Minister of Finance as if he were a simple child, and talks of his “confused statement.” He ventured to say that the hon. the Minister of Finance owed his position to the temperance movement; that it was the means of securing him his position as Finance Minister. He ventures to insinuate that my hon. friend had dragged down the temperance cause into the low arena of party politics. Let the hon. gentleman look into his own ranks, if he wants to find men of that stamp, and he will not have to go far. There never was a party who used a great moral question to serve party purposes, utterly regardless of the effect on the public, to a greater extent than his own. Well, Sir, after these enormous deficits, one would suppose that the hon. able gentleman, in the face of his professions of economy, would have been about the last man to challenge the administration of the finances by the right hon. gentleman on my right and his Government. The hon. member for Centre Huron not only rolled up over \$8,000,000 of deficits, but he also increased the expenditure \$8,500,000 over our largest expenditure. Had he been content with the existing expenditure, we should have been saved that \$8,000,000 of deficits. The largest expenditure we ever had was in the year 1873, in which we only governed the country four or five months, and, according to a true comparative statement, that expenditure only reached \$22,300,000. In 1874-5 the increase over that was \$1,417,678. In 1875-6 the increase was \$2,152,979. In 1876-7 it was \$1,223,908. In 1877-8 the increase was \$1,203,156, and in 1878-9 the expenditure was \$2,153,381 more than our most extravagant year. There is an over-expenditure above the largest year that we were responsible for, adding \$390,000 of expenditure belonging to revenue, which the hon. gentleman charged to capital, of \$8,543,092 in the hon. gentleman's five years administration of the finances. And yet he ventures to talk to my hon. friend about economy. Standing convicted of

the grossest extravagance of any public man that ever had anything to do with financial matters in Canada, utterly reckless of the people's money, thinking only of imposing additional taxation to enable him to commit himself to those expenditures, he supposes that that is all forgotten, and, that of all men in the world, he is to be accepted as an authority on finance and economy. He challenges the estimate of my hon. friend for 1880-81, an estimate of \$25,000,000, as a monstrously extravagant one; although \$1,000,000 more money is required to pay interest on the debt and \$600,000 for the sinking fund additional to that which he had to pay in 1874, and yet he asked \$26,168,000 from this House as the lowest sum with which he could then carry on the Government of the country. In the estimate of my hon. friend there is a sum of \$200,000 to operate the Canadian Pacific Railway. That will not, I hope, cost the country a dollar. I hope to be able, by the management to which the hon. gentlemen opposite object so much, to get enough revenue from the road to balance the expenditure. I quite understand why they object to this management. There is nothing brands them more with extravagance and incapacity than their management of Government railways. They are aware of the beneficial effects of the change, and they must magnify every little accident that occurs, even if it is on account of a snow storm. Let us look at other railways, and what do we find? I had a letter from Winnipeg, in which Mr. Schreiber says that a large quantity of steel rails have been blocked on the St. Paul line by a snow storm for a week, and that there is no prospect of getting them to their destination for some time to come. Roads in the State of Maine have been blocked by the snow, and there is no section of country worse to operate on account of the snow than that along the Valley of the Metapedia. But, knowing all this, hon. gentlemen opposite are glad to magnify every accident, and I can understand the gratification they would feel if they could point to such an accident as happened only yesterday on one of the best managed roads of the country. They do this because they are afraid to listen to the exposure of the mismanagement and extravagance of their adminis-

tration of the railways. When my hon. friend asks for a grant of \$200,000 for the operation of the Canadian Pacific Railway, he does it in the full confidence that all that mismanagement and extravagance is to be followed by economy, which he believes, and I believe, will return every dollar into the Public Treasury. The additional amount asked for Indians is \$165,000; interest on the Public Debt, \$400,000; sinking fund, \$100,000. Then there is the Census, \$200,000 more, which the hon. gentleman will admit that we cannot avoid, and which will include not only those quadrupeds which he intimated sat on this side of the House, who support the Ministry, but a longer-eared class of quadrupeds who are equally accommodating to the hon. gentleman—I will not say in this House, but I think that if there is anybody outside the House who listened with pleasure to the diatribes he gave utterance to, he must have longer ears than the quadrupeds who are said to be so compliant in the support of the Government. The steamer to Brazil, \$50,000. That gives us \$1,115,000, and swells this estimate to less than a million of what the hon. gentleman asked Parliament to give him in 1874. Add to that the portion of the Grand Trunk Railway that is now operated as part of the Intercolonial, \$250,000, because it is a mere matter of account, and you have \$1,365,000 of this Estimate which the hon. gentleman denounces as so extravagant. I need not, I think, take up much of the time of the House in discussing the hon. gentleman's claim to economy or financial skill. I believe I am accused in certain quarters of envying very much the great talents of my hon. friend the Minister of Finance. I believe there are some people in this country, perhaps on the other side of the House, who venture to insinuate that I am excessively jealous of the position in this House of my hon. friend. I would be unworthy of the position I occupy in this House and in the judgment of the country, of which for twenty-five long years I have had such satisfactory and conclusive evidence, if I were not willing to say here, as I am prepared to say everywhere, that the people of Canada, in my opinion, owe a debt of gratitude to the present Minister of Finance, for the painstaking manner in which he has devoted himself to the con-

sideration of the question of the Tariff problem, upon a successful solution of which rests the question of the life or death of the country. The hon. gentleman says that my hon. friend has gone about this country like a commercial traveller. It would have been in the interest of Canada, perhaps, if the hon. gentleman had adopted the same course, and instead of driving away with contumely men, however high their position in the commercial or industrial world, who wished to offer him advice, and wrapping himself up in that immaculate robe of perfection which with so much magniloquence he loves to assume, he had ventured to place himself in communication with the intelligent men of this country who are engaged in sustaining and developing its interests and industries. If I ever felt I should like to stand in my hon. friend's shoes it is to-night. And why? Because he occupies the proud vantage-ground of being able to say in the presence of conclusive testimony that, instead of having the ruinous, discreditable record the hon. gentlemen opposite have been fond of predicting, he has vindicated the position he occupied when twelve months ago he asked and obtained the confidence of the House in the fiscal policy he placed before it. My hon. friend rightly said that last year the fundamental objection taken to his fiscal policy by the hon. gentlemen opposite was that he would lose revenue instead of obtaining it. They said that the trade of the country was depressed, and said: "If you believe you can improve it by increasing taxation you are labouring under a mad delusion, the result of which can only be widespread disaster from one end of the country to the other." To-night my hon. friend has been able to come down with the evidence from the public records of the country, and show that his expectations with reference to the effect of the Tariff upon the revenue have been abundantly sustained and that issue placed beyond doubt in the mind of every person, except that of the hon. member for Centre Huron (Sir Richard J. Cartwright). Is there a man who will say, in the face of an intelligent Canadian public, that prosperity is not returning to the country? No man could venture that statement without being met by indignant repudiation and denial by everyone who has been in a position



to judge of the condition of trade and business. The House will remember the position of the country two years ago, when borne down with deficits, and in such a condition that the hon. gentleman opposite confessed he knew of no means of getting more revenue. He declared to this House that he knew of no means of reducing the expenses of the Government—that he had reduced them to the lowest limit, and pared down the expenditure everywhere. If the hon. gentleman had not been summarily dismissed from office by an indignant public and constituency, he would have had to face a deficit of between \$3,000,000 and \$4,000,000 on the 1st day of July last. What had he to offer to the people? Denunciations of the means my hon. friend the Finance Minister proposed to the House, by which at the same time the public credit could be maintained, and the industries and business of the people promoted in such a way as to cause the sun of prosperity again to shine on Canada—that sun that had been for five years under a dark, impenetrable cloud. What happened? The hon. gentlemen opposite knew perfectly well that, that policy having been adopted, it was challenged in this House, first, on the ground which my hon. friend has shown to be utterly untenable and unworthy of consideration. They also said, “Even if you do get the revenue wanted, you will get it at too severe a cost; you are going to exasperate Great Britain, and make it impossible for any Finance Minister to go to its money market and borrow what we want, in order to carry on the public works of the country except at most ruinous rates.” My hon. friend (Sir Samuel L. Tilley) has given his answer; he stands here to-night with five hundred and fifty thousand arguments that cannot be answered by any statement to be found in that forest of rhetoric without an acorn of thought, in which the late Finance Minister for two hours and a half wandered. No rhetoric can wipe out the fact that the hon. the Finance Minister went to England under very unfavourable auspices, after hon. gentlemen opposite had been unpatriotic enough to endeavour to arouse feeling against their own country, after they had sent columns of communications to the leading English papers to show that Canada was

not only ruined by its Tariff policy, but that we should be unable to meet our obligations under it; he went after the press of those hon. gentlemen had been degraded to the low, unpatriotic and despicable purpose of decrying our own country for party purposes, and, worse than all, confronted by the fact that the late Finance Minister had accumulated over \$8,000,000 of deficits in four years. But my hon. friend told the financial men of England that the people of Canada had not only hurled from power those gentlemen who had proved so utterly incapable, but had restored a party to power with an overwhelming majority, who had recommended the adoption of a policy of imposing such taxation as would give the new Government the means of meeting the demands upon the Treasury. The result was that my hon. friend came back with \$550,000 more in his pocket for a three million four per cent. loan than the hon. gentleman opposite (Sir Richard J. Cartwright) was ever able to obtain. Thus was swept away the story of the failure of our credit. If there is any faith to be placed in the statement of that hon. gentleman (Sir Richard J. Cartwright), nothing was so disastrous to Canada as the series of deficits described, and especially in the hands of the man who, in the face of Parliament, declared that he knew of no further resource but direct taxation. Does he forget that, when the motion was made in the House, with reference to home-grown tobacco, he answered it with the statement that it would take \$500,000 of the revenue from him, and that he knew of no means of replacing it but by direct taxation? I ask this House and country to put side by side that statement and the fact that, if he had been in power, he would have had to meet between three and four million dollars of a deficit on the 1st July last. He knows that the Government of which he was a member shrank from direct taxation, so distasteful to the people of this country, and yet, according to them, this was the only mode left them of discharging their obligations. The hon. gentleman said that they were not responsible for the liabilities my hon. friend was called upon to meet. Did they intend to leave the road from Thunder Bay to Red River with a gap of 185 miles.

AN HON. MEMBER: There were the water-stretches.

SIR CHARLES TUPPER: They had abandoned them. The late Government undertook to build 113 miles from Thunder Bay to English River, and 114 miles from Red River to Keewatin, leaving 185 miles of a gap between. Dare they say they did not intend to fill it up, or that all the millions sunk in that unproductive work, that could not have carried a dozen passengers or a ton of freight in a year, were to be thrown away; and do they not then stand responsible for the \$18,000,000 to be spent on that road before it can be completed? Could the present Government have abandoned the enlargement of the Welland Canal, a work which had absorbed millions? We had no power in the matter. Every dollar's worth of the work was under contract, and we were bound to complete it or pay the money for nothing. And yet the late Finance Minister dares, with the late Minister of Public Works sitting alongside of him, to say they were not responsible. Let him go to the Cornwall Canal, where \$500,000 was expended by hon. gentlemen opposite with no possible result except the carrying of an election; that was an outlay utterly useless without the expenditure of millions besides. Yet they venture to assert they left to the present Government no liabilities for public works. What again of the 125 miles of railway placed under contract in British Columbia? I am astounded that, in the face of an intelligent people, and an independent Parliament, any man could be found, who knows that the late Premier negotiated with Lord Carnarvon and pledged the faith of Canada to the construction of the Railway from Thunder Bay to the shores of the Pacific—2,000 miles—by 1890, and who knows the hon. gentleman swept away that guarantee we had provided, that the expenditure should not exceed the resources of the people without additional taxation, who should arraign our policy in the manner witnessed. Does the hon. gentleman mean to say that, having committed themselves to the building of 2,000 miles of railway, without regard to the resources of the country, with the character of the country irretrievably gone unless that pledge was redeemed, by such

efforts as were possible to be made with that object, the location of the line to Burrard Inlet, and the invitation of tenders for that 125 miles, was done with out any intention of performing the work, but simply to hoodwink the people of that Province until after the elections. If so, hon. gentlemen opposite occupy a position that reflects very little credit on them. The hon. member for Centre Huron made another objection to our policy—that we should thereby alienate the people of England—an idea worked up thoroughly on both sides of the Atlantic. What was the result? That the hon. the Finance Minister has shown this evening, as in the case of the revenue, so in its bearing on the English people, that the fiscal policy of the Government has changed the current of trade from the groove in which it was being set by the hon. gentlemen opposite; and, instead of Canada being made subsidiary to the neighbouring Republic, and our people being made for it hewers of wood and drawers of water, instead of Canada giving nearly the whole volume of its trade to a country that refused to admit its goods, instead of Canada turning her back on the Mother Country, and giving her trade to foreign countries, the Finance Minister shows he has redeemed his pledge of a year ago, and justified his judgment that this policy would be eminently favourable to British interests and restore the trade to that channel which every loyal British subject must infinitely prefer to that favoured by the hon. gentleman opposite. What was the object of their tea and sugar duties? The whole power of the late Administration, from the hour they assumed office till the hour they were driven out, was used to build up Boston and New York as our commercial capitals, and leave us at the feet of that Republic, to whose grandeur and greatness all the trade and business of the country was made to contribute, instead of being directed towards that Mother Country to which we owe so much. Then, again, those hon. gentlemen declared: Your Tariff is not only going to arouse England against us, but to exasperate the United States—be careful, they added, the Republic does not swallow us up. The bugbear of American hostility was attempted to be excited, and in their newspapers everything possible was done to exasperate the United

States against Canada. Those efforts were all in vain, however. There is not an American politician who does not feel that our imitation of their fiscal policy is the greatest compliment that we could have paid them. I had the honour lately of meeting an American gentleman holding a high official position in London. Did he tell me that the people of the United States were exasperated with us on this account? He said that we could not make the people of England understand that with Canada and the United States there is no alternative, in the public interest, but the protection of home industries. It would be beneath that great Republic to cherish a feeling of irritation towards a people, whose policy is, to a certain extent, in unison with its own—that are intelligent and independent enough to be able to strike out a policy suitable to their own interests. What effect has our policy had? It has directed the first minds of all the leading commercial circles of the United States, with a view to see if the change in the Tariff of Canada cannot be obviated by a fair readjustment or measure of reciprocity, as might be carried out to the satisfaction of both countries. That was another of the delusions with which the gentlemen opposite were either misled themselves or tried to mislead this House. There was another objection, and that was the old cry: You are going to make this a dear country to live in, you are going to depopulate the country, and drive all the people out of it, you tax the people to such an extent that they cannot live in Canada. Well, my hon. friend believed that, in providing profitable industry for hundreds of thousands of people in Canada, doing the work of Canada with Canadian hands and on Canadian soil, he would not depopulate the country. You would suppose, to hear those hon. gentlemen talk, that all our people were going away, and that nobody was coming into our country. Again, those hon. gentlemen are met by the public records, which give the most emphatic contradiction to all their impressions on this subject, for during the past year we have had over 30,000 emigrants, and of the best classes of emigrants that ever came to this country, as against less than 20,000 the year before. They were brought in at a smaller

cost, and, even under the operation of that \$20 prohibition, within the last two months, double the number of people are rushing into this country to make it their homes, than within the corresponding two months of last year. As my hon. friend the Finance Minister said to-night, Canada never occupied, since she was a country, so proud a position as she does to-day with respect to the question of emigration. The policy of my hon. friend the Minister of Agriculture was a bold and statesmanlike policy, saying to the world: We have got a country that does not require us to depend upon hired employés to show its advantages, but we have a country possessing such inherent claims to consideration that we are prepared to pay the expenses of a body of intelligent men to come from Great Britain, and traverse our country from end to end, and then go back to their own people and tell them the result. The result is that more has been achieved in the interests of Canada, more has been accomplished in opening up our magnificent country as a home for hundreds of thousands of men—not only the industrious, energetic sons of toil, but those who will bring a large amount of capital into this country to enrich it—more has been achieved in this way than ever before. When, a year ago, I ventured in this House to express the hope that in connection with emigration from Great Britain to this country there was a question worthy the consideration of Imperial statesmen, I was met by a shout of derisive laughter from hon. gentlemen opposite. The idea was derided that Imperial politicians could be induced to take the slightest notice of our absurd notions of the advantage of bringing British subjects and settling them on British territory in our North-West. But this laughter had hardly died away when we find my right hon. friend the First Minister presenting the same views to the greatest man in the British Empire, Lord Beaconsfield, who himself became an emigration agent for this country; we saw Lord Beaconsfield standing before his countrymen and saying that, although disaster had overtaken England, although unfortunately the condition of the working classes and of the industrial classes was not what was to be desired, he was able to tell them with

pride and satisfaction that the Empire possessed in Canada a country of enormous resources, of great fertility, a country that could furnish to those whose necessities compelled them to leave Great Britain, homes that would be worthy of themselves, and where they would have the means of building up that same Empire of which they now formed a part. I say that there is no man in this country or out of it who knows anything of the subject who does not know that from that day to this the whole tone of the English press was altered. The increased amount of \$550,000 more, which my hon. friend the Finance Minister brought back to Canada for his three million 4 per cent. loan, sinks into utter insignificance compared with the value to Canada of the statements by Lord Beaconsfield respecting British emigration to this country, which has placed Canada in a position to obtain advantages which she never had before placed within her reach. Well, there was another difficulty: prices were going to be increased. Gentlemen opposite said: It is impossible you can create these industries, and bring manufactures into operation in this country without a vast increase in the prices. The hon. gentleman opposite, in one part of his speech to-night, used that argument, and showed how the poor people were taxed under this Tariff, but what did he say before he sat down? He said it was perfectly plain the manufacturer is not going to be so well off because he is going to be compelled to give higher wages; and he will have to give them to the men he employs. So the hon. gentleman had some consolation in the inevitable fact that this policy is to compel the bloated manufacturers and aristocrats to disgorge their means by increasing the wages that have to be paid to the operatives. What more did he say? He said they cannot afford to do it, because they cannot increase their prices. Now, I want to know what becomes of his argument as to increased prices? I was amused at the hon. gentleman's powers of imagination, which are so great that they ought to have led him to turn his attention to writing novels. I am sure he could not draw more largely upon his imagination in any work of fiction that could emanate from his pen than he drew upon it in these statements he

has made to the House to-night. He says there is a tax of \$70 or \$80 put upon the family of every operative in this country, and yet no revenue. Five-sixths of the people of the country pay \$70 or \$80 a family of taxation and yet there is no revenue. That is only one of the difficulties into which the hon. gentleman dropped in the course of as illogical a speech as I have ever listened to from any person in this House. The hon. gentleman has himself shown that, while we have fostered industries by giving this home market to our own people, we at the same time protect them against increased prices, because the competition between manufacturers themselves will induce them to furnish these goods at the lowest figure. Now, I ask if that is not the history of the past year? Because every man who knows anything of this country knows perfectly well that there has been a most striking advance in all the great leading industries of this country; I want to know if that has not at the same time been accompanied by as low prices for those various articles as we have had at any previous time. Prices may rise, they will rise, because the prosperity in the United States will prevent goods being furnished in that country at the same prices as they were before. But this increase of price will not be due to the protection afforded to the industry of this country, but will be restrained by the development of our manufactures. I want to know from the hon. gentleman, who thinks that that great country is in a state of Egyptian darkness, and that it will continue to suffer until it takes inspiration from the light that hon. gentleman will be able to shed, not only upon this benighted Canada of ours, but upon the great American Republic, why is that in Free-trade England the depression is so great? When I was there, I asked the Statesmen, the merchants, the manufacturers, the men of intelligence of all classes, what was the prospect of that country. Well, they said, it is dark enough. Well, I said, is there any day-light ahead at all? Yes, they said, there is one favourable indication, we believe, that things are taking a turn in the United States of America, and the moment they do we will feel the effect

of it here. Now, does it not strike the hon. gentleman with a little astonishment that Free-trade England, with her dark horizon, with her deplorable condition every way, culminating with a famine in a large section of the Empire that is taxing the charities of the civilised world at this moment, and with a condition of pauperism and paralysis among the industrial classes of England itself, such as has hardly ever been paralleled in the history of that country, does it not strike the hon. gentleman, I say, with a little astonishment, that the only source of relief to which they are looking is the revival of trade and prosperity in one of the most highly protected countries in the world? The hon. gentleman has spoken of Lord Salisbury and Lord Derby. Does he not know that Lord Derby, when confronted with a body of workmen, told them the only resource he could recommend to them was to emigrate. Does the hon. gentleman not know that, when the sugar refiners went to Lord Salisbury, and asked him if there was no protection against the productive policy of France and other countries, if there was no security for the industries of their own country, that noble Lord answered them thus: "I do not see how we can bring any pressure to bear upon France or America, because we have nothing to offer them in return; we have given everything away already." That was the position of Canada yesterday, but it is altered to-day. Now we are in such a position that when the Hon. George Brown again is called upon to visit Washington for the purpose of negotiating a Reciprocity Treaty he will not be obliged to come back as he did before. He will not be in the same position as he was before, when he went down on his knees to get them to give a Reciprocity Treaty to Canada, and they asked him what he proposed to give them in return. Oh, he said, we have done all that long ago; we have given that all to you before; if you have any gratitude you ought to give some return. Oh, but, they said, that is not commercial principles; when we give anything away we want a *quid pro quo*. Consequently, that able man returned covered with the humiliation of defeat, because he was representative of a fiscal policy that enabled an American consul in this country to write to his Government: We have

got almost all the market of Canada; if you persist in shutting out the trade of Canada you will get it all. I say to the hon. gentlemen opposite that all that has been changed, that Canada now occupies a vantage ground in relation to this matter that she never occupied before. But, if they want evidences of an increase in trade, let them go to the great commercial centre of the country, Montreal. What does Mr. Robertson, Chairman of the Harbour Commissioners at Montreal, tell us? He says: We have increased the net revenue by \$400,000 more harbour dues this year. Trade has revived. What revived it? The increased importations of coal from the Maritime Provinces and of sugar from the West Indies. Yet those hon. gentlemen know how that bears upon the export trade in wheat by making the St. Lawrence the great outlet of cereals from the Western States. Our fiscal policy not only brought into operation the industry of sugar refining, but that gave employment to thousands of tons of shipping that otherwise would have plied between Boston and New York and the West Indies. Yet they close their eyes to the fact that it has given Canada back her West India trade, that Canadian ships manned by our own sailors are now carrying the products of our own country down to the West Indies, and coming back to Canadian ports, fostering the shipping industry, fostering the fisheries and fostering the lumber trade of the country. Yet, forgetting all that, the hon. gentleman closes his eyes to everything except the fact that it is called a Protective policy, and therefore it must be bad. I deny that the policy of my hon. friend has added one farthing to the cost of sugar in this country. I say that, notwithstanding the increased price of sugar here, the increase was still greater in New York. That fact alone shows how delusive the statement is. The hon. gentleman ventured to draw upon his imagination in regard to the poor man in St. John paying a duty on flour and coal. Does the hon. gentleman know that the duty on flour would not be 3c. per annum per head if it were distributed over the population of New Brunswick. It is the same in Nova Scotia. Does not the hon. gentleman know that the price of coal has been lowered in St. John instead of increased?

SIR CHARLES TUPPER.

SIR RICHARD J. CARTWRIGHT :  
How ?

SIR CHARLES TUPPER : Has not the hon. gentleman mastered the first rudiments of the question of the coal duty? Any person who knows anything about coal mining knows that, if you work a mine at a capacity of 100,000 tons, you can sell the coal at a smaller price than if you can only work it up to 50,000 tons. The output of coal in Canada during the past year has largely increased. The duty of 50c. per ton has been the means of opening up the markets of Toronto to some extent. Every person knows that, while there was a duty of 50c. imposed on coal during the last year, the cost of coal fell to the lowest price it ever was in the history of the country. We have, as the result of this Tariff, the coal mining interest stimulated without any person suffering in any section of the country, and, in adding an additional 10c., my hon. friend expects the coal of our own country to come into fair competition with the coal of the United States, in Toronto and Hamilton, and probably lower instead of increase the price of coal there. The hon. the late Finance Minister says the coal tax is an odious tax. He takes exception to the taxation of the necessaries of life. Is coal any more a necessary of life than many articles the hon. gentleman largely increased the taxation upon? He knows it is not. It is a source of warmth as clothing is; but the hon. gentleman never undertook to make clothing free. The hon. gentleman had no resource but direct taxation. He shrunk from the vista of his deficits, but had not the courage to propose a remedy. What would have been the result? Disaster to the credit of Canada. No Finance Minister could have gone to England and borrowed a dollar in the money market of the world unless he showed some intention to provide a revenue for the purpose of bearing the burdens of the country and maintaining the public credit. The works on the Welland Canal, put under contract by the hon. gentlemen opposite, must have come to a standstill. The link between English River and Keewatin must have been abandoned, because the money could not have been obtained. The policy of the present Government was to maintain

the public credit, and stimulate our industries, and it is a policy that will commend itself to the people of the country. The hon. gentleman wants to know what has been the result of that policy. I defy him to put his finger upon a single industry in Canada of any kind that is not in a better condition than it was a year ago—agriculture, fisheries, lumbering, mining, shipping and manufacturing. Therefore, my hon. friend the Minister of Finance has abundant reason to take courage, and, in view of the fact that light is again dawning upon our darkened, depressed country, the hon. gentleman may confidently look forward to the most successful results, if, after a year of the greatest difficulty, the outcome has been so satisfactory. It is impossible in an hour, it is impossible in a day, it is impossible in a year, to develop the results of such a policy as this, except in a partial manner. Any person understands that, if a ship is drifting on the rocks, although parties may board her who understand taking her off the quicksands or rocks, the momentum she had acquired will still go on for a time. Hon. gentlemen know that it is a principle of natural philosophy that the momentum is in proportion to the magnitude of the moving body, and as Canada is a body of considerable magnitude, it is impossible, even in the hands of the ablest navigator, to counteract that momentum instantly and turn the ship upon her proper course. I have witnessed, with a pride and pleasure beyond what I can express, the magnificent attitude of the intelligent people of Canada. Strong in their confidence, strong in their belief that the public affairs of this country were again in the hands of men who, in the future as in the past, would show that they knew what the public interest of the country demanded, they were willing to wait patiently for the result. The policy inaugurated by the Government is developing itself, and I have no hesitation in saying that I believe we are again fairly entered upon the path of progress and prosperity that attended the administration of my right hon. friend in days gone by. I have no doubt that hon. gentlemen on the other side of the House will come back to the Treasury Benches. I will venture to say, however, that they will never stand where I now stand until they change their policy. They can do it. Their party need

not despair. They are perfectly equal to the emergency. I was much amused to-night when I heard the hon. gentleman say that the country owed the late Government a debt of gratitude for having refused to depart from a Revenue Tariff in 1876. Let any intelligent man in this House read his Budget Speech for that year, and I will undertake to say that he will rise from its perusal with a conviction that that speech was prepared for a Protective Tariff. The hon. gentleman possesses great ability of statement, but he was not quite equal to the emergency. The Government of which he was Finance Minister saw that they would have a heavy deficit, and after taking counsel with each other they came to the conclusion that they owed it to the country to raise the Tariff from 17½ per cent. to 20 per cent. The hon. the Finance Minister prepared his speech for a Tariff of 20 per cent. Why was the Tariff not raised? A deputation from the Maritime Provinces, led by Mr. Jones, waited on him and told him that the Government must choose between abandoning the proposed Protective Tariff and going out of office. They counted their friends, and concluded that they were in a minority. At the last moment, they abandoned their policy, and the first half of the hon. gentleman's speech was one of the most elaborate and conclusive arguments in favour of Protection that it is in the power of any man in or out of this Parliament to deliver, while the latter half advocated Free Trade. He had not time to reconstruct his Budget Speech, and was compelled to put a Free-trade tail on a Protectionist body. I feel that I am warranted in saying the hon. gentlemen opposite will never regain power until they change their policy. Perhaps it may be said that they cannot change. The hon. gentleman opposite me is perfectly equal to it. If we go back a few years we will find that he admitted he was a Protectionist in principle.

SIR RICHARD J. CARTWRIGHT: I never said anything of the kind.

SIR CHARLES TUPPER: The hon. gentleman was able to support my right hon. friend and Sir Alexander Galt in 1858.

SIR RICHARD J. CARTWRIGHT: In 1858, I was not in this House.

SIR CHARLES TUPPER: If the hon. gentleman was not inside he was

outside, doing his little best for them; and, having learnt how incapable Sir Alexander Galt was, he went into Parliament to support him. Having changed two or three times already, he can change once more; and that he will make that change, if he remains in public life, is as certain as that he has changed before. These hon. gentlemen opposite will never come back to power again, until they are brought to accept the verdict of the intelligent people of Canada. What was it that turned the scale to such an extent, that a party, coming into office by one of the most overwhelming majorities, should be placed in the powerless minority in which they are at present? It was because the people came to the conclusion that their policy was disastrous to the country, and the most independent men supporting them turned their backs upon them and placed my right hon. friend in the proud position he now occupies. So long as the hon. gentlemen set themselves against the public sentiment, so long as the *Globe* newspaper gloats with fiendish delight over every failure and every commercial disaster in the country; so long as it is apparent that it is not principle but party that actuates them, so long will they be compelled to content themselves with the position they now occupy. The moment the hon. member for Centre Huron (Sir Richard J. Cartwright) admits anything like rational thought upon this subject, so soon as he becomes convinced that the only road to power is a change of policy, he will be found—and so will his party be found—equal to making the change. The only account the hon. gentleman could give of the prosperity of the country was that these things come by fits and starts. Well, Sir, so long as the fits are with him, and the starts are with us, we shall be satisfied. I was a little astonished at the hon. gentleman venturing to say that the people of this country were cursing the hour they brought this party into power; and he pointed to the imaginary scores of starving and indignant workmen who came the other day for assistance. But does he know that the only man that was ever imprisoned in this building was the hon. the leader of the Opposition; that a private stairway had to be constructed so that he could be protected and hidden

away from the infuriated and starving population, who asked for bread, and to whom he had nothing to give but a stone. I ask the hon. gentleman does he not know that this country will consider that he is taking a gross license with its intelligence, in the face of historical evidence to the contrary, in stating that the people are cursing the present Administration. They have had an opportunity of showing their detestation; and what is the result? When our opponents gained power by the unholy means they used, so soon as they began to live they began to die. So soon as the sober second thought of the people had an opportunity of giving its expression they speedily reversed the verdict of 1874. They steadily brought down that mighty majority of nearly ninety in four years to one of less than fifty. Their dissolution commenced from the very hour of their birth—from the very beginning, I may say, of their existence, which they managed to sustain for five years, till it was terminated by the exhausted patience of an indignant public. One would suppose, if the hon. member for Centre Huron is to be believed, that every person in the country was ready to spring up in indignation against the present Administration in order to bring these men who oppose it into power again. Where is the seat that you have taken from us? Where are those indignant people giving utterance to their execrations? They had an opportunity in Cornwall, but they did not—when my hon. friend Dr. Bergin turned a majority of 39 to a majority of 198. In Montmorency they have had an opportunity, where a man of great talent and ability, pitted against a leading independent supporter of hon. gentlemen opposite in a square party fight, was sent here to support us by a largely increased majority. Does that look like cursing and execration? Does that look as if the hon. gentleman had any ground for the assertions he has made here to-night? In Bonaventure—a constituency held by our genial and independent friend, the Hon. Dr. Robitaille—that popular and able gentleman's seat being vacated by his promotion to the position of Lieutenant-Governor of the Province, a successor was returned by acclamation. My hon. friend cannot find his crowd of people fuming with curses

there. In Provencher, Manitoba, in Yale, British Columbia, in the centre of our country, and away down in Cape Breton, in Nova Scotia, the electors have had an opportunity of denouncing my right hon. friend for his alleged legalised robbery, as a Protective Tariff is called, but they have not been able to get any to endorse that slanderous accusation. But not only have we held our own. In Charlevoix, East Hastings and Argenteuil their party has been defeated, and a difference made in this House of six votes in our favour by the action of these independent constituencies, while others in this House, elected to support them, have openly and independently declared their intention to abandon that party and policy, in order to sustain the successful policy of my hon. friend. Never was there a party or a Government so strong in the confidence and affections of the great body of electors of Canada as the present Government. I have not been able to notice a great many of the extraordinary statements that the hon. member has made. I have only endeavoured to notice the most important points connected with them; but, as a party man, as one who believes that the best interest of our country demands the continuance in power of the Liberal-Conservative party, I rejoice in the exhibition the hon. gentleman has made of himself, as I feel confident that this party will continue to control the destinies of this Dominion while the hon. gentleman favours us with such speeches as we have listened to to-night.

Mr. MACKENZIE: We have listened to the speeches of the hon. gentleman opposite, with something like astonishment at the volubility and abusive character of his utterances against his opponents. The language he has used to-night is characteristic of him; but I think I never heard a speech even from him more replete with abuse. The hon. gentleman thinks, I suppose, that by using offensive language he strengthens his position; that, if he abuses his opponents and praises his colleagues and himself, he will have accomplished his object; but the hon. gentleman will not find such abuse accepted by this House and the country. My hon. friend on my right has reason to be proud that hon. gentlemen opposite



have found it impossible to answer his arguments; and has put up this abuse so as to avoid answering them. The hon. gentleman, who has just resumed his seat, stands prominent on his side of the House for that sort of work, such as he has so fully accomplished to-night. I shall not imitate such a course; but endeavour, by fair argument, to show the position of the hon. gentleman opposite is untenable, and that my hon. friend from Centre Huron (Sir Richard J. Cartwright) is justified in the expressions he has used, and the arguments he has taken. In the first place, let me refer for a moment to the speech of the hon. the Minister of Finance. The hon. gentleman was not so fair and candid as he ought to be, but we do not expect much candour and fairness from him under the position he is desirous of establishing. I do not say that the hon. gentleman would do anything unfair or unbecoming to injure a person against whom he was matched, but in order to cover his own ground he never hesitates to present questions which he deals with in that way. The hon. member for Cumberland accused my hon. friend (Sir Richard J. Cartwright) with being a renegade Tory, and he spoke of myself as having acted improperly in taking a renegade Tory into my Administration. I might characterise the hon. gentleman as a renegade Free-trader. I might characterise the hon. the Minister of Finance as a renegade Reformer. I believe the hon. gentleman (Sir Samuel L. Tilley) was the leader of that party in New Brunswick for many years. The hon. gentleman has changed his views of political life, and I do not blame him for it, if he did it conscientiously, and I hope he has. If he has gone back from light to darkness, conscientiously, let him assume the responsibility, and I will give him credit, not for the intelligence he has displayed, but for the step he has taken. But if my hon. friend beside me is to be denounced as a renegade Tory, because he has come from darkness to light, with how much more justice and severity might we characterise that species of renegade who has passed from light to darkness. The present leader of the Liberal party in England—we may call him the leader—Mr. Gladstone, was for many years a leading man among Conservatives; but who dreams of using the coarse language

of the hon. member for Cumberland, and denouncing Mr. Gladstone as a renegade Tory. What would have been thought of any man who addressed such language to the Prime Minister of England, and accused Lord John Russell of having taken, in the person of Mr. Gladstone, a renegade Tory into his Administration as Finance Minister. But that was precisely what happened there as here, if that term is to be used. So far as the late Administration is concerned, I may say that no man became a member of it who was not entirely in unison with myself and the leaders of the Liberal party in connection with our whole policy. The hon. the Finance Minister, in the early part of his remarks, alluded to the responsibilities which had been cast upon him by his predecessor in office, and said that he was compelled on this account to increase the revenue in order to meet the expenditure; and the hon. gentleman who spoke last endeavoured, during a considerable part of his speech, to show that the late Administration, which I had the honour to lead, was responsible for the creation of many of the public works which had caused an indispensable increase in the debt. Now, Sir, I will give an authority for that responsibility, which I presume no one opposite will dispute. A certain hon. gentleman, who now acts as Finance Minister, says this:

“We are, however, entering upon new and increased engagements, involving a very large sum of money. We are entering upon works—we have already done so—which will require a large increase of our debt. We have \$10,000,000 to expend on the Intercolonial Railway. We have \$30,000,000 for the Canadian Pacific, and the canal system, that has been accepted by the Government, will involve an expenditure of at least \$20,000,000. These are serious matters, inasmuch as they add \$60,000,000 to our existing debt.”

Now, Sir, the late Administration modified this estimate of the hon. gentleman opposite. We declined to proceed with the whole of the Canals. The Welland Canal was in such a position that it had to be finished. The Lachine Canal was also begun, and was requisite in order to meet the requirements of the Ottawa river and the St. Lawrence river combined; and the Cornwall Canal was absolutely essential to the finishing of the system of Canals, when it is finished. But the late Administration determined not to

proceed with the Beauharnois and the Williamsburgh Canals. We were determined to avoid every expenditure that could possibly be avoided on these great works; and instead of the hon. gentleman with such characteristic unfairness blaming the late Administration, instead of assuming the responsibility, if either of the hon. gentlemen opposite had the principle of fair play in their composition, they would have boldly assumed the responsibility which the hon. the Finance Minister did in 1873. That is the true position of that matter. The hon. the Minister of Railways says that the late Administration, at all events, assumed the responsibility of the Pacific Railway, under the arrangement made with Lord Carnarvon. We assumed it precisely as it was assumed by the hon. gentlemen opposite in that respect. We assumed it, as I stated the other night, subject to a determination to adhere to the declaratory Acts of Parliament, and the resolutions of this House passed repeatedly not to increase the burdens of taxation, for the purpose of proceeding with that work. The hon. gentlemen seems to think that, because we made a subsequent modified arrangement, we were more bound to that arrangement than the hon. gentlemen opposite were to the arrangement they made in 1872, when they made a deliberate bargain to have the entire work completed by 1882. The hon. gentleman (Sir Samuel L. Tilley) says in this same speech:

“Let us now consider, for a moment, whether under the circumstances we are likely to be able to meet this liability in the future without imposing heavy burdens on the people of this Dominion. I would like to take you with me in imagination over that period of ten years, within which the great Pacific Railway should have been completed.”

Well, Sir, we are within two years of the ten in which the road was to be completed, and very little of the great work is completed. The hon. gentleman goes on:

“I hope and trust, and firmly believe, that there is too much patriotism among us to allow any personal or political consideration to interfere with the progress of such a work as this.”

Now I have to say this further regarding the expenditure upon this work, and I hope the hon. gentleman who has questioned me so closely

will give a little of his attention. He asked me if I would dare to stand up in this House and say that I did not propose to build a portion of the railway that we asked tenders for. I tell him that were we in a position now to command any consideration, all that we should spend on that road, particularly in the difficult places, where there is little population to be found, would be graduated entirely by the capacity of the country to meet the expenditure. With regard to the 185 miles the hon. gentleman alludes to, I may simply say that we were prepared to carry the traffic by the water from one point to the other if we found we were not able with the means of the country placed at our disposal to proceed with that section. We were never afraid to communicate our policy. We asked tenders, as hon. gentlemen are aware, in two separate forms, for the purpose of having the exact information before us, and that information we would be able to utilise in such a way as would meet the interests of the country and save the great mass of the people from an excess of taxation, which must ultimately be ruinous to us if these works are persevered in. The burden of taxation, to which my hon. friend opposite may refer, is much heavier than what anyone imagines. The hon. gentleman who spoke last said that it was most extraordinary to propound that where heavy taxes were levied the revenue was not benefitted to a corresponding degree; and he lectured the hon. member for Bothwell (Mr. Mills) for uttering an exclamation to that effect. But a few minutes afterwards, in pointing out the effect a 10c. additional duty on coal would have, he said it would not add anything to the revenue, but bring Nova Scotia coal to Hamilton. Here is a case imposing additional taxation, which he himself declares will add nothing to the revenue. My hon. friend the hon. member for St. John (Mr. Burpee) showed conclusively last Session, and his speech has never been answered by the hon. the Finance Minister, or anyone else, taking the quantity of imports of various kinds of the previous year as a basis, that the Tariff of last year imposes an additional tax on the people of \$7,000,000. Well, we have it admitted that a little over a million has reached the National Treasury from that

enormous taxation. Some say that not a dollar has reached it; but I have no doubt that a considerable sum has reached the Treasury, but a small sum compared with the amount levied. Why the very essence of the National Policy is this: that certain parties who are manufacturers or producers of goods are to be benefitted, in order that the manufacture of such goods shall be confined to the country. The very essence of the policy is to benefit a certain class. That is not denied by anyone, but it is asserted by the hon. gentleman opposite that while this is true the stimulus it will give to native production, and the use made of our agricultural products, will more than meet whatever amount of taxes is laid upon the public to accomplish that object. The hon. the Minister of Railways says we will only again reach the Ministerial Benches by adopting his protective views. I assure him that if I never go back to the other side of the House without changing my policy, as he has done, I will continue to sit here or go out of the House. Whenever anyone changes his policy with the chameleon-like frequency, characteristic of the hon. member, it is time to give up talking about patriotism or anything of that kind. The hon. gentleman thinks it is an easy matter to change. No doubt his example is of value, but I should not hold him up as an example to be followed, but as a shocking warning to the young politicians of the day, of the general course which has brought a great public man like him to the degraded position he now holds.

Several HON. MEMBERS: Order, order.

MR. MACKENZIE: I do not use that phrase in a personal sense; I am speaking in a political sense wholly. I will not say the hon. gentleman is not entitled, both from his long service to the State and the distinguished position he now holds—I will not say of him what he said of my hon. friend (Sir Richard J. Cartwright)—that he was not entitled to respectful consideration. I will give him all the consideration possible, and every word he utters I shall consider. The hon. gentleman, in the course of his disquisition, said hon. gentlemen opposite were expelled from power by a misunder-

standing. He said also that the late Administration that I had the honour to lead, was ignominiously defeated. I know of no ignominy connected with it. We were not accused of any public crime or dishonourable conduct. We fought the battle, whether right or wrong, upon a straight line, and upon principle. We took our stand upon the ground that we would not impose additional taxation upon the people, under the circumstances in which the country was placed. We opposed the Protectionist Policy on principle. We were defeated; but I am satisfied that, notwithstanding the accident that the hon. gentleman has alluded to, that, at this moment, if the country had to pronounce again upon the subject, it would pronounce in our favour. The hon. the Minister of Railways and the hon. the Finance Minister, although they have no connection whatever with Ontario, and also the hon. the leader of the Government, all went into the local elections in Ontario; and, if I recollect aright, the hon. the Minister of Justice also, made his appearance on the platform. The hon. the Minister of Railways himself went to the strongest Protectionist city in Ontario, Hamilton, and though he used his best and boldest efforts there, yet his candidate was defeated—I will not follow his example and say ignominiously defeated—but he was defeated; and in Toronto, where the hon. the Finance Minister showed forth the beauty of his system, the Conservative majority of the year before of 900 was reduced to 60. Such was the effect of his efforts there. The Premier himself took part in the discussion in Toronto, and used every effort; and the whole of the journals of the Conservative party took the ground that if the Liberal Administration of Mr. Mowat was sustained it would be the end of the National Policy—that that policy would then be condemned by the great Province of Ontario. And it was condemned, and that condemnation sustained the Local Premier and his Administration, beyond any other question discussed at the polls. The hon. the Minister of Public Works, in his remarks, referred to the expenditure under the late Administration. The actual expenditure for each year was as follows:—1873-4, under the Estimates of the present Finance Minister, \$23,316,000; 1874-75, \$23,714,000;

1875-6, \$24,488,000; 1876-7, \$23,519,000; 1877-8, \$23,503,128. Now, while we get the expenditure of 1875-6 about the same as for the year 1873-4, we had imposed upon us during that year a very large additional outlay for which we were in no wise responsible, and the actual expenditure in 1876-7 and 1878-8. If we apply only those items which were chargeable during the reign of the hon. gentlemen opposite, in 1873, we find that instead of having an expenditure of  $23\frac{1}{2}$  millions, our expenditure was not more than  $21\frac{1}{2}$  millions. We had a vast increase of interest, and the hon. gentleman himself has taken credit for that now, but he was not willing to allow it to us, or to allow to us an increased expenditure on the Administration of Justice, and on the North-West Territories, under the laws passed by his own Administration, with many other similar items; deducting such items left us really with an actual average expenditure for the same things that the hon. gentlemen had in 1873, of two millions less than the expenditure in their last year. He announced to-night, as a result of the impossibility of meeting the expenditure of the coming year, that he proposes to use balances now in his possession to the extent of about \$6,000,000—having that amount to spare out of the total balance of \$13,000,000, and that he proposes an additional issue of Government notes to the extent of \$8,000,000, the present issue being \$12,000,000. At present there is a cash reserve to meet an issue of \$12,000,000 of notes, something over three millions of dollars; and the hon. gentleman proposes to have precisely three millions to meet the payment of the twenty millions which he proposes to issue.

SIR SAMUEL L. TILLEY: Five millions or 25 per cent.

MR. MACKENZIE: Not at all; it will be only 15 per cent. in gold and 10 per cent. in bonds; such was his statement. There is a famous financier, formerly living in Hamilton, and now in the employment of the Government, who used to advocate an original scheme for paper money. He had the ordinary currency coloured dark, and it was to be redeemed in paper coloured yellow, in order to resemble gold as nearly as

possible, I suppose. The hon. the Minister of Finance proposes to hold 15 per cent. in gold and 10 per cent. in gilt paper.

SIR SAMUEL L. TILLEY: No.

MR. MACKENZIE: The hon. gentleman has not told us in what way he intends to utilise it. Does he calculate how long it is to stay out? Is it to be issued through the banks, or are they to be compelled to take it at his price? Not one word about this extraordinary financial speculation has been given us, and we are expected to receive the simple statement only that this paper currency is to be issued, no information regarding it being given to the country. The whole of our financial system is to be overturned to meet the financial exigencies of the Government, which will not be met by those means however. The hon. gentleman will not be able in this way to do anything else but derange the currency of the country and stop the fountain of credit. I was not a little amused to hear him speak as he did about the imports and exports, and the hon. member for Cumberland (Sir Charles Tupper), following in the same track, seemed to think it was a matter to rejoice over, that the imports were steadily lessening. The reduction of the imports often shows the poverty of the country, and the increase of exports sometimes also show its poverty. I do not say that the ordinary views of the balance of trade which prevails in England are applicable to the same extent in Canada. We know from a very high authority in this matter what the position is that the hon. gentleman took; we have some little knowledge of financial matters from this source. The present Finance Minister took this position in his Budget Speech in 1873. He said:

"We have something like \$12,000,000 a year excess of imports over exports. Add to that the interest on the debt of the Dominion, payable in London, \$4,000,000, and we have \$16,000,000 a year to be provided for which our exports do not cover. But if we look into the matter more carefully, we will arrive at the conclusion that there are no grounds for apprehension. \* \* I have taken some pains in the matter, taking one city as an illustration—St. John. \* \* \* It appears that the return freights from that city amount to \$2,000,000 a year, and if that be the case in St. John we may fairly estimate that from five to six millions of profit from freights are received every year, by which the surplus between imports and exports

is very materially reduced. If we go further, and consider the expenses incurred in shipping the produce of the Dominion, which amounts to \$70,000,000 or \$80,000,000, for which disbursement bills of exchange are drawn, we find these two items make up the difference.'

The hon. gentleman has changed his views now.

SIR CHARLES TUPPER : The balance is so much the more to our credit.

MR. MACKENZIE : So with that much less imports we are very much richer.

SIR SAMUEL L. TILLEY : That may be.

MR. MACKENZIE : Much richer with less business. The hon. gentlemen opposite, with their Protectionist Policy, have set themselves deliberately to destroy the foreign trade of the country. I believe that no country having commercial relations with the world can avoid having a foreign trade; because the moment they cease to have a foreign trade they sink in the scale of nations, go behind the age, and have no means in common with the rest of the world to exchange commodities. The idea of the hon. gentlemen opposite seems to be based upon the opinion that every one who buys from them can be made to pay their own price, while they are able to sell at their own prices also. I believe, and all intelligent authorities believe, that the true method of conducting trade is for every people to sell what they produce most easily to those who possess some other commodity which such nation requires, but cannot so easily produce. One of the most disastrous results of a Protective Policy is that it destroys the freedom of exchange, and tends to build up monopolies at the expense of the people. To be sure the remedy will come. Hon. gentlemen opposite seem to think that there can be no change of Government in this country until every one in it becomes a Protectionist. I believe their policy has already proved a disastrous failure. The melancholy statement that the hon. the Finance Minister made to-night, was one that any Government might be ashamed of, especially they who proclaimed so loudly that the moment a change of Government should take place, returning prosperity would appear; that everyone would be employed, that bank stocks would rise in value, and that everything would show increased prosperity. From

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that day down to the present, increased depression took place. Stocks fell, failures increased, and there was very soon the deepest distress that could possibly be imagined, and the hon. gentlemen opposite were only saved, for the moment, by the good crops of last year. Even that good crop would not have done much but for the fact that there was a sad failure of crops in Europe, which necessitated the purchase of very large amounts of produce at high rates on this side of the Atlantic, and yet the hon. gentlemen opposite speak as if they produced the high price of wheat. They produced the high prices in manufactured articles, and everything they touched with the rod of the tax-gatherer. They taxed the coal and flour and food of the poor—everything they could lay their hands on consumed by the poor—and thereby increased the cost of living; but, although they put a tax on wheat that had no influence on the price of wheat in this country, though it injured trade in that article, every person knows it could not have had any influence, because the ultimate market was England, and we were only carriers of wheat from one end of the country to the other. The result of the policy of the hon. gentlemen opposite has been disastrous, even to the revenue, which has shown a great deficiency. The hon. the Finance Minister endeavoured to make out that we will only have a deficiency of \$500,000 to provide for, but, notwithstanding his skill in cooking the accounts, the fact is apparent that there will be a deficiency of between one and two million dollars, which has to be met. The hon. the Finance Minister said, with some indignation, that we were damaging the policy of the Government and decrying it to the country. Now, if the policy of the Government is wrong, it ought to be damaged. If the hon. gentleman opposite thinks that we are damaging a thing that we believe to be right, he is mistaken. We are damaging it because we believe it ought to be damaged. We believe that it is a policy that will be ruinous to the country, and that it has done infinite damage to the country already, and the sooner it is put an end to the better. Better damage the Ministry than damage the country. If it be necessary, in order to damage that policy, to show the evil effects it has had upon the trade and commerce of the country, why should we not do so?

Should we be deterred, by idle threats from the Government Benches, from exposing the folly, the selfishness, and the utter fallacy of the policy which the hon. gentlemen opposite inaugurated? Hon. gentlemen may deprecate upon it that, whatever happens, we shall not pause for one moment to expose the fallacies connected with that policy, and to point out to the country and to the world the views that we take on that policy, now in force in Canada. The hon. member for Cumberland (Sir Charles Tupper) took credit for the revival of the lumber trade. Now, it will be remembered that, during the Tariff discussion last year, several statements were made. One was made by my hon. friend from Queen's, N.B. (Mr. King), which showed the amount of taxation imposed by the Tariff upon every thousand feet of lumber. The hon. member for North Renfrew (Mr. White), who is a moderate supporter of the Administration opposite, undertook to show that my hon. friend from New Brunswick was mistaken, but even he made out that there was an additional taxation imposed upon the lumbermen. He admitted that; only he denied it was so much as was calculated by others. Two other hon. gentlemen also made calculations to the same effect. Now, I would like to know how it is possible for a policy to benefit the lumbermen that imposes additional taxes upon them, and cannot provide any advantages. By their own admission, that policy is an obstruction in the way of the lumbermen, and now the hon. the Minister of Railways tells us that this obstruction has had the good effect of increasing the prosperity of the lumbermen. The truth is that any demand that has arisen for lumber has arisen from causes altogether unconnected with the National Policy. The demand from England has increased from local reasons, and the demand from the United States, during the coming season, is likely to be increased, but it is solely because they enjoy an increased prosperity which has not yet visited Canada. The hon. gentleman says the sun of prosperity shone immediately over the country upon the accession to power of himself and his colleagues, whom he characterises, by the way, as the ablest men in the Dominion. Who can be a better judge of that than the hon. member for Cumberland? In rela-

tion to sugar, the hon. gentleman stated, with a boldness characteristic only of himself, that sugar was cheaper this year in Canada than in any other country, or at any other time. Now I challenge him to produce the New York papers, containing the current prices, and the Montreal papers for every week in the year, containing the current prices, and I would ask him to apply the duty that was imposed under the old Tariff to the prices in New York, taking into account the cost of transportation, and then compare this with the prices charged in Montreal, and he will find that the people of Canada have been paying during the whole year from  $\frac{1}{2}$  c. to  $1\frac{1}{2}$  c. per lb. above that which they had to pay under the old Tariff.

*Motion agreed to.*

House resolved itself into Committee of the Whole to consider the said resolutions.

(In the Committee.)

Resolutions agreed to and ordered to be reported.

House resumed.

(In the House.)

Resolutions reported; and they are as follows:—

1. Resolved, That it is expedient to amend the Act 42 Vic., cap. 15, intitled an Act to alter the duties of Customs and Excise, by the following alterations in and additions to Schedule A of the said Act:—

1. In the item concerning "Carboys containing Acids," after the word "Carboys," insert the word "Demijohns," and after the word "Acids," insert the words "Vinegar or other Liquids."

2. After the item "Artificial Flowers," insert the words, "Asphaltum mineral, ten per cent. *ad valorem*."

3. After the item "Rabbit metal," insert the words, "Bagatelle Tables or Boards with cues and balls, thirty-five per cent. *ad valorem*."

4. In the items concerning "Billiard Tables,"—after the words "nine feet," in the second line, insert the words "or under," and strike out the words, "five feet by ten feet," in the fourth line, and insert the words "over four feet six inches by nine feet,"—and after the words "eleven feet," in the seventh line, insert the words, "or under," and in the eighth line strike out the words, "those of six feet by twelve," and insert the words, "all over five feet six inches by eleven feet," and in the tenth line strike out the words, "ten per cent," and insert the words "fifteen per cent."

5. After "Billiard Tables," insert the

words, "Bird Cages of all kinds, thirty per cent. *ad valorem*."

6. In the item "Blacking, Shoe,"—after the word "shoe," insert the words "and Shoemaker's Ink."

7. Under the heading "Books,"—strike out the words "bound or in sheets," in the first and second line, and insert the words "not elsewhere specified," and strike out the words "six cents per pound," in the fifth line, and insert the words, "fifteen per cent. *ad valorem*."

In the item "British Copyright Works," strike out the words "six cents per pound," and insert the words, "fifteen per cent. *ad valorem*."

Strike out the whole of the following paragraph:—

"Books, Periodicals and Pamphlets, imported through the Post Office, for every two ounces in weight, or fraction thereof, one cent."

And also the following—"Blank Books, bound or in sheets, twenty-five per cent. *ad valorem*."

And insert the following—"Blank Books, viz.: Account Books, Copy Books, or Books to be drawn or written upon, thirty per cent. *ad valorem*."

After the word "Cards," in the seventeenth line, insert the word "other," and after the item "Playing Cards," insert the words, "Valentines, Christmas and New Year's Chromo or Embossed Cards, and all other not being business or advertising cards, twenty-five per cent. *ad valorem*."

8. In the item respecting "Bookbinders' Tools and Implements," after the word "implements," insert the words "and Bookbinders' cloth."

9. Before the item headed "Breadstuffs," insert the words "Braces or Suspenders of all kinds, twenty-five per cent. *ad valorem*."

10. After the item concerning "Candles," insert the words "Cans, or packages made of tin or other material, containing fish of any kind admitted free of duty under any existing law or treaty, not exceeding one quart in contents, one cent and a half on each can or package; and when exceeding one quart, an additional duty of one cent and a half for each additional quart or fractional part thereof."

11. In the item "China and Porcelain Ware," after the word "twenty," insert the word "five."

12. After the item concerning "Coke," insert the words, "Combs for dress and toilet, of all kinds, twenty-five per cent. *ad valorem*."

13. In the items concerning "Cottons, manufactures of," after the item "Cotton duck, &c.," insert the words, "Crapes of all kinds, twenty-five per cent. *ad valorem*."

14. After the item "Fish, fresh, &c.," insert the words "Fishing Rods, thirty per cent. *ad valorem*."

15. And also the words "Fire-proof paint, dry, one quarter of a cent per pound."

16. After the words "Flax seed," insert

the words "Flag stones, dressed, one dollar and fifty cents per ton."

17. After the words "Artificial Flowers," insert the words "and feathers," strike out the word "thirty," and insert the words "twenty-five."

18. In the item concerning "Fruit, green," after the word "Grapes," strike out the word "one" and insert the word "two."

19. In the item concerning "Furniture," after the word "hair," strike out the word "and," and after the word "spring," insert the words "and other."

20. In the items concerning "Glass and manufactures of," after the word "pressed," insert the words "and cut glass," and after the word "bottles," insert the words "and decanters;" after the item "Ornamented, Figured," &c., insert the words "Silver Plate, twenty-five per cent. *ad valorem*."

And in the item "Common and Colourless Window Glass," after the word "Glass," insert the words "imitation Porcelain Shades."

21. After the above items insert the words, "Gloves and Mitts of cotton, leather, silk, woollen or any other material, twenty-five per cent. *ad valorem*."

22. In the items concerning "Iron and manufactures of," change the position of the words, "number seventeen gauge or thrimer," so that they shall follow the word "black," and precede the words "and boiler plate,"—and strike out the words, "Drawn boiler tubing, ten per cent." and insert in lieu thereof the words, "wrought iron tubing, plain, not threaded, coupled or otherwise manufactured, fifteen per cent."

23. In the other item "Slabs, Blooms, Loops or Billets," strike out the words "twelve and one-half," and insert the word "ten."

24. In the item concerning "Jewellery," strike out the words "and watches."

25. Before the item "Lithographic Stones," insert the words, "Liquorice-root and paste extract for manufacturing purposes, twenty per cent. *ad valorem*."

"Stick extract or confection, one cent per pound and twenty per cent. *ad valorem*."

26. After the item "Malt," insert the words, "Malt, extract of, for medicinal purposes, twenty-five per cent. *ad valorem*."

27. In the item concerning "Meats," after the item "Shoulders, &c.," insert the words "Poultry and game of all kinds, twenty per cent. *ad valorem*."

28. After the item concerning "Meats" insert the words "Milk food, manufactured by Henri Nestle, Dr. Gibaut, and others, and all other similar preparations, thirty per cent. *ad valorem*."

29. In the item concerning "Oil Cloth," after the word "printed" insert the words "Table Covers, similarly prepared, and oiled or painted window blinds."

30. In the item concerning "Organs, Cabinet," strike out the word "ten" after the word "thereto" and insert the word "fifteen."

31. In the item concerning "Paints and Colours," strike out the word "Bismuth."

32. After the item "Paper calendered," insert the item "paper ruled, twenty-five per cent. *ad valorem*."

33. In the item "Paper Collars, &c.," strike out the word "paper" and the words "twenty-five per cent.," and after the word "fronts," insert the words, "of paper, linen or cotton, thirty per cent."

34. In the item "Pianofortes," strike out the word "ten" after the word thereto," and insert the word "fifteen."

35. After the item "Quinine," insert the words "Quicksilver, ten per cent. *ad valorem*."

36. In the item "Silk in the Ginn," after the word "organzine" insert the words, "and raw spun silk not coloured."

37. In the item "Champagne" and all other "Sparkling Wines," after the word "bottle," in the third last line, insert the words, "the quarts and pints in such case being old wine measure."

38. In the item "Steel and manufactures of," strike out the figures "1881," and insert "1882."

39. In the item concerning "Stone," after the word "Marble," insert the words, "from the quarry, not hammered or chiselled."

Strike out "Grindstones in the rough, one dollar and fifty-cents," and insert, "Grindstones, two dollars per ton."

40. Under the heading "Sugars, Syrups and Molasses,"—in the proviso respecting the "fair market value,"—after the word "thereof," in the third line, insert the words "including export duty or other Government tax."

41. In the item "Trunks, &c.," strike out the words "twenty-five," and insert the word "thirty."

42. After the word "Twines," strike out the words "manufactures of flax and," and insert the words, "of all kinds."

43. Under the heading "Tobacco," in the item "Cigars and Cigarettes," strike out the word "fifty," and insert the word "sixty."

44. Under the heading "Vegetables," after the item "Tomatoes," insert the words "Tomatoes in cans, two cents per pound;" and after the words "all other vegetables," insert the words "including sweet potatoes."

45. In the item concerning "Watches, &c.," strike out the words "Watch movements," and after the word "twenty," insert the word "five," and add the item, "Watch actions or movements, twenty per cent. *ad valorem*."

46. Under the heading "Wood and manufactures of," in the item "hubs, spokes, &c.," strike out the word "twenty," and insert the word "fifteen."

47. In the item respecting "Coal," strike out the words "and bituminous," and insert thereafter the words, "Coal, Bituminous, sixty cents per ton of 2,000 pounds."

48. Strike out the whole of the items concerning "Slate for roofing," and "Slate Slabs," and insert the following: "Slates of all kinds, and manufactures of, not otherwise specified, twenty-five per cent. *ad valorem*."

49. Under the heading "Wool and Woolens," after the item "Felt for glove linings," insert the following: "Wool, class one, viz., Leicester, Cotswold, Lincolnshires Dum Combing Wools, or wools known as Lustre Wools, and other like combing wool, such as are grown in Canada, three cents per pound."

2. *Resolved*, That it is expedient to amend the "Schedule of Free Goods," by the following additions thereto, and alterations therein:—

1. After the word "ammonia," strike out the word "crude," and insert the words "sulphate of."

2. In the item "Animals for the Improvement of Stock, &c.," strike out the word "animals," and insert the words, "horses, cattle, sheep and swine."

3. After the item "Berries for dyeing, &c.," insert the words "bismuth metallic."

4. After the item, "Chloride of Lime," insert the word "cinnabar."

5. To the item "machinery for Worsted and Cotton Mills, &c.," add the words, "until the first of October, 1880."

6. After the item "Plaits, straw, &c.," insert the words, "Potash, Muriate of, crude."

7. To the item concerning "Settlers' effects," add the words "Provided that under regulations to be made by the Minister of Customs, live stock, when imported into Manitoba or the North-West Territory by intending settlers, shall be free, until otherwise ordered by the Governor in Council."

8. Strike out the item "Gunny Cloth and Gunny Bags."

9. In the item respecting "Steel," strike out the figures "1881" and insert "1882."

10. After the words "Paintings in Oil," insert the words, "or water colours."

11. In the item "Newspapers," strike out the words "received by mail," and insert the words "and Quarterly, Monthly and semi-monthly Magazines, unbound."

12. In the item "Wool, unmanufactured, &c." after the word "Animals," insert the words, "not elsewhere specified."

3. *Resolved*, That it is expedient to provide:

1. That any party in whose favour a licence is granted to have and use a chemical still shall, upon receiving the said licence, pay to the Collector of Inland Revenue the sum of \$10.

2. That any party in whose favour a licence for manufacturing tobacco, wholly or in part, from foreign leaf, is granted, shall pay therefor to the Collector of Inland Revenue the sum of \$75.

3. That any party in whose favour a licence for manufacturing tobacco exclusively from Canadian leaf is granted, shall pay therefor to the Collector of Inland Revenue the sum of \$50.

4. That any party in whose favour a licence for manufacturing in bond for exportation is granted, shall pay therefor to the Collector of Inland Revenue the sum of \$300.

5. That any party in whose favour a licence to have an Excise bonding warehouse is granted, shall pay to the Collector of Inland Revenue for one such warehouse the sum of \$40, and for each additional warehouse the sum of \$20.



6. That as respects the duties of Excise on spirits: (a) When the material used in the manufacture thereof consists of not less than 90 per cent. by weight of raw or unmaltered grain on every gallon of the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength of proof, and for every less quantity, than a gallon, \$1. (b) When manufactured exclusively from malted barley, taken to the distillery in bond, and on which no duty of Customs or Excise has been paid, on every gallon of the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength, and for any less quantity than a gallon, \$1.02. (c) When manufactured exclusively from molasses or sugar taken to the distillery in bond and on which no duty of Customs has been paid, on every gallon of the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength, and for any less quantity than a gallon, \$1.03.

7. That as respects the duties of Excise on manufactured tobacco, the said duties shall be as follows. (5) On manufactured tobacco and snuffs of all kinds, except cigars made in whole or in part from foreign or imported leaf tobacco, and containing not less than 10 per cent. by weight of moisture, and so in proportion for any greater or less degree of moisture, on every pound or less quantity than a pound, 20 cents. (6) On cigars made in whole or in part from foreign or imported leaf tobacco and containing not less than 10 per cent. by weight of moisture and so in proportion for any greater or less degree of moisture, on every pound or less quantity than a pound, 40 cents. (7) On manufactured tobacco of all kinds, except cigars and common Canada twist, when made solely from tobacco grown in Canada, and in a manufactory where no imported or foreign tobacco is used or kept, and containing not less than 10 per cent. of moisture, and so in proportion for every greater or less degree of moisture, on every pound, or less quantity than a pound, 14 cents. (8) On cigars made solely from tobacco grown in Canada, and made in a manufactory where no foreign or imported tobacco is used or kept, and containing not less than 10 per cent. of moisture, and so in proportion for every greater or less degree of moisture, on every pound, or less quantity than a pound, 30 cents.

8. That as respects the duty of Excise on vinegar, vinegar containing 6 per cent. of acetic acid, the strength to be determined by such tests as may be established by Order in Council, and so in proportion for any greater or less strength, on every gallon, or less than a gallon, 4 cents.

9. That as respects the duty of Excise on methylated spirits: Methylated spirits being composed of alcohol mixed with wood naphtha, in such proportions, and subject to such regulations as may from time to time be made by the Treasury Board, there shall be paid a duty of 15 cents for every gallon of the strength of proof, and so in proportion for every greater or less strength, and for every less quantity than a gallon.

10. That any provisions imposing any new duty or making any alteration in any duty of

Excise imposed by the laws now in force, or any alteration in the mode of calculating any such duty, by which the amount thereof may be increased or diminished, shall come into force immediately on the day of passing of the Act making such alterations, and shall apply to, and the duties hereby imposed shall be payable on all spirits and tobacco, vinegar, fermented beverages, methylated spirits, distilled, manufactured or made, or taken out of bond for consumption on and after the said day, and such alterations as aforesaid shall apply to, and the duties hereby imposed shall be payable on all malt held by any brewer, malster, distiller, or other person on the said day, or manufactured or made thereafter, and the duties hereby made payable on licences shall be payable only on licences issued after the said day, existing licences remaining in force during the time for which they were granted.

4. *Resolved*, That it is expedient to provide that the foregoing resolutions, and the alterations made in the duties of Customs and Excise, and on the articles therein mentioned, shall take effect upon, and after the 10th March, instant.

House adjourned at

Five minutes after  
One o'clock.

## HOUSE OF COMMONS.

Wednesday, 10th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

BILLS INTRODUCED.

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

Bill (No. 67) To amend the Acts respecting the Canada Central Railway Company.—(*Mr. Fitzsimmons.*)

Bill (No. 68) To incorporate the Nelson Valley Railway and Transportation Company.—(*Mr. Macdougall.*)

Bill (No. 69) To incorporate the Rapid City and Souris River Colonisation Railway Company.—(*Mr. Bannerman.*)

PRINTING OF A PARLIAMENTARY PAPER.

REMARKS.

MR. STEPHENSON presented the sixth Report of the Joint Committee of both Houses on the Printing of Parliament.

MR. ROSS (West Middlesex): I notice among the papers not to be printed, as read by the Clerk, that containing a detailed statement of the amount of Imports and Exports. The question as to whether

it should be printed or not was postponed until another meeting.

MR. ANGLIN: It is one of the most important papers ever laid on the Table of the House. It is a difficult paper to print, but I think, under the circumstances, it ought to be printed immediately, if possible.

MR. STEPHENSON: The matter was fully discussed by the Printing Committee, and it was thought that, on account of the time and expense involved in printing it, it was better not to print it in full, but only an abstract, which was contained on the last two sheets.

MR. MACKENZIE: I hope the Chairman of the Committee will have a meeting and re-consider that to-morrow. It is a very important document, and should be printed.

MR. STEPHENSON: I will make a note of this, and lay it before the Committee.

BUCTOUCHE HARBOUR, KENT, N. B.

QUESTION.

MR. GIROUARD (Kent) enquired, Whether it is the intention of the Government to make any appropriation for the construction of beacon-lights at the entrance of Buctouche Harbour, Kent county, N.B., during this present year.

MR. POPE (Queen's, P.E.I.): It is the intention to place two beacon-lights in this harbour.

FRACTIONAL CURRENCY.

QUESTION.

MR. FARROW enquired, What amount of fractional currency, of the denomination of 25c., is now in circulation, and what amount is in the hands of the Receiver-General; further, does the Government intend to give the country a further issue of 10c. and 25c. for the convenience of change, instead of having, as now, to use postage stamps, which are very inconvenient.

SIR SAMUEL L. TULEY: There are \$116,949 in circulation, and in the hands of the Assistant Receiver-General \$43,091, and in vaults, \$172,500. Arrangements are being made for \$150,000 small silver, of the denomination of 5c., 10c., and 25c.

KEEWATIN—JAIL ACCOMMODATION.

QUESTION.

MR. ROYAL enquired, Whether, in

view of a recent decision rendered by the Chief Justice of Manitoba, ordering the release of persons sent to the Winnipeg jail, in default of payment of the fine imposed by Magistrates in Keewatin, for the selling of liquor, it is the intention of the Government to amend the law in this respect or to provide for jail accommodation in the said District of Keewatin.

MR. McDONALD (Pictou): It is the intention of the Government to introduce such an amendment of the law as may be required in consequence of the decision of the Chief Justice of Manitoba.

MONTREAL CUSTOM HOUSE—HARDWARE VALUER.

QUESTION.

MR. COURSOL enquired, Whether a successor has been appointed to the late Mr. Bryson, formerly valuer of hardware at the Custom-house, Montreal, and whether such appointment, if made, is temporary or permanent.

MR. BOWELL: The Government has appointed a gentleman as hardware appraiser in the city of Montreal, who is still on trial.

CHATHAM, ONT.—GOVERNMENT OFFICES.

QUESTION.

MR. STEPHENSON enquired, Whether it is the intention of the Government to put in the Estimates or Supplementary Estimates to be brought down during the present Session a sum of money for the erection of a fit and proper building in the town of Chatham, Ont., for the accommodation of the Customs, Postal and Inland Revenue Offices and services in that town; if so, what amount; if not, why?

MR. LANGEVIN: In answer to my hon. friend, I may say that this matter is under the consideration of the Government.

NEWFOUNDLAND—FREE ADMISSION OF CANADIAN CATTLE.

QUESTION.

MR. MCISAAC enquired, Whether the Government has opened, or intends to open, negotiations with the Government of Newfoundland, with the view of effecting the free admission of cattle from the Dominion into that Province unconditionally, or in return for a like admission of its fish into the Dominion.

SIR SAMUEL L. TILLEY : There has been no communication with the Government of Newfoundland upon this subject since last Session, when that Government declined to admit free cattle imported from the Dominion of Canada. There is no immediate intention of reopening negotiations.

#### DOMINION DAM, DEVIL LAKE.

##### MOTION FOR RETURN.

MR. JONES, in moving for an Order of the House for a return of all documents or correspondence, during the year 1879, with the Department of Public Works of this Dominion, relating to the rebuilding of the Dominion Dam, Devil Lake, in the township of Bedford, Province of Ontario, said : It is not the first time I have brought this motion before the House. I brought it up in 1877, but the late Government did not then see fit to carry out the request I made. I hope, however, this Government will do so, because I think it is their duty. It has been stated on the floor of this House that this dam does not belong to the Government at all, but to private individuals. I propose to show that it does belong to the Government, and that when it was destroyed it should have been rebuilt, in order to raise the upper level of the Rideau Canal for navigation purposes. The dam I speak of was built forty or fifty years ago, by Mr. George Chaffey and Mr. Benjamin Tett, for the purpose of bringing down lumber, etc. It was used by these individuals for a great number of years, and when they gave up the lumbering business, they asked the Government to take the dam off their hands as it was required for the purposes of a reservoir to assist during low water the navigation of the Rideau Canal. The dam was destroyed in 1876 by some evil-disposed persons. The excuse given for not reconstructing the dam was that the Rideau Canal did not pay the Government, and that some \$30,000 a year was required to keep it up. The hon. member for Lambton (Mr. Mackenzie) forgot to say that this canal was a gift to this Government from the British Government. The Dominion Dam, the Rideau Canal and the whole of the Ordnance Lands on which these buildings stand were a gift ; and, though the revenues received may not pay expenses, when you

SIR SAMUEL L. TILLEY.

take into consideration the amount of money paid for the St. Lawrence, Chambly and Welland Canals, I think it will be seen that the Rideau Canal has not been so costly to the Dominion as the others. In order to show that this is a Dominion work, I will read what took place. In 1871, the water supply failing for the Rideau Canal, Mr. Slater recommended that the dam should be rebuilt, and an Order in Council was passed, 25th January, 1872, granting a sum of \$700 to build Harts and Devil Lake Dam, which was carried out. In 1876, the dam was destroyed, it was the duty of the Government to rebuild it, for the purpose of keeping up the upper level of the canal. It was also the duty of the Government to find out who the evil-disposed persons were that destroyed it and punish them. Although it was said some action was taken to find out who destroyed that dam, I have not been able to learn what action was taken to find out who those evil-disposed persons were. In 1875, we find the dam is still in charge of the Dominion Government, and Mr. Wise, the present engineer of the canal, in his report says :

“ The maintenance of the dam is, I consider, necessary to secure the navigation of the canal during periods of low water, which experience has shown now occur. The dam keeps back the snow and rainfall of a large area of rocky country, and on that account at a minimum of damage. To secure the benefit of this water to the canal, when most required, a paid officer of the Department should be put in charge of it without delay.”

In 1876 again, Mr. Wise in his report says :

“ Experience has shown that periods of low water now occur which formerly did not, and if the supply for navigation on the descending level to Kingston is to be maintained, all the present reserves should be held under control. The damages, if fairly assessed, should not exceed \$3,000.”

In 1876 and 1877, Mr. Perry, P. L. S., was employed to make a survey, showing the damages and to report. His report and plans in full are in the Department. Mr. Wise in his report of October, 1879, says :

“ Chaffey's Dominion dam retains the waters shed of some seventy-five square miles of rocky country, supplying the south-west descending level to Kingston, discharging through the Devil Lake into the Rideau Canal, at Mud Lake. This dam was torn down by some evil disposed persons in August, 1877, and was never re-built. Its destruction deprived the

canal of this large reserve, and if the efficiency of the navigation is to be maintained at all seasons, I would recommend its reconstruction. On account of the rocky nature of the country and from my own personal observation of the lands drowned by this dam, the claims for damages that have been set up are greatly exaggerated, and could not be sustained on any investigation. A comparatively small appropriation to meet any just claims would secure this reserve to the canal."

This dam is about 50 feet long and 12 feet high, and it would cost to re-build is about \$300 or \$400. The Rideau Canal is becoming more important every day, and I think it is the duty of the Government to support it. It is not in the interest, as will be said by some hon. gentlemen, of mill-owners on the line of the canal that the dam should be reconstructed, but it is in the interest of the managers of the canal itself.

MR. ROCHESTER: I think the remarks of the hon. gentleman with regard to this canal perfectly correct. I do hope the hon. the Minister of Canals will see his way clear to rebuild this dam. It is a very small affair in itself, but is a large thing for the navigation of the canal. I may state for the information of the House that, although the Rideau Canal has not paid working expenses for a number of years, there is a probability now of its beginning to pay. During the whole of this winter large quantities of iron ore have been shipped from this part of the country to the United States, and I have been given to understand that arrangements are being made to carry that ore by water instead of by rail, for the simple reason that they have to draw some five or six miles to the railroad, while the water accommodation is within a mile of the mines. The intention is to take this ore by the Rideau Canal this season. This is a new branch of industry that has started up in this part of the country. I would like to draw the hon. member's attention to another matter in regard to this canal. About fifteen miles from Ottawa there is a ledge of rock that runs across the canal. I am told that it would cost about \$1,500 or \$2,000 to remove this ledge of rock, which would give 12 to 18 inches more draught of water through to Kingston. It would be a great thing in carrying iron ore from Ottawa to Lake Ontario. I hope the hon. Minister will instruct an engineer to report in regard to this matter, and the

actual cost of the removal of the lock. There is no doubt that the Rideau Canal has been for many years of some cost to the country, but, when the hon. member for Lambton (Mr. Mackenzie) has made representations to us about the cost of the canal, he has invariably refrained from telling us how much money has been received from the sale or otherwise of the ordinary lands belonging to the canal. I think there is some stipulation between the Imperial Government and this Government that the canal shall be kept open and in working order.

MR. MACKENZIE: No.

MR. ROCHESTER: Although the hon. gentleman says "no," I think that an arrangement such as I have referred to does exist. In view of this new industry springing up, I hope the navigation of the Rideau Canal will be kept open, and in order to do this it is necessary that the dam should be rebuilt and that the ledge of rock I have alluded to should be removed.

SIR CHARLES TUPPER: There is no objection to this motion passing. I may say that the difficulty no doubt has been the very small amount of work that was required for this canal, and it seems inadvisable to spend a large amount of money until there is greater demand for this mode of transportation. But, if it should appear that there is to be an increase of business, and that the paying qualities of the canal will be improved by taking up its improvement—if, when the matter has been carefully looked into, they are found necessary, the repairs will be made.

MR. MACKENZIE: I never had any hesitation in declining the rebuilding of this or any other dam on that canal route; because there is water enough to carry all the traffic offered. In the year 1877-8, the traffic on the canal amounted to \$7,535, and the expenditure for maintaining it amounted to \$39,780. Last year the revenue was \$5,878, while the expenditure was \$35,288. It is quite well known that the canal has been surrounded by railways, and the through water traffic is nearly all done by the St. Lawrence Canals, and must so continue. The Dominion should not be saddled with the expense of improving this Canal, when it is clearly a Canal used for local traffic only, and has no Dominion traffic carried

over it. The Canal has been a constant cause of expense at all times. It is a mistake to suppose that it is a real service to this part of the country further than the spending of the money is concerned. My advice to the hon. the Minister of Railways and Canals—and I tender it for what it is worth—is that the expenditure on such works should be such only as we get some return from.

MR. JONES: The hon. gentleman opposite takes the ground that this work should not be undertaken because it will entail an expense on the country. But why should this Canal fare worse than other Canals? Take the St. Lawrence and Welland Canals, which, both together, give a total nett revenue of \$38,000, and then look at the millions of dollars they have cost the country. This Canal has not cost the Government anything; it was a gift from the British Government, together with the Ordnance Lands, worth two millions or more dollars. Yet the hon. member for Lambton puts forward such an argument as that for not rebuilding a work absolutely required, and which we are bound by agreement to keep up.

MR. HAGGART: This Canal is not only a benefit to those parties who use it for transport or traffic, but it is useful to many important manufacturing works that are erected on it, almost every one of the works on the route being supplied with water from this Canal. There are no works that indirectly give so much benefit to the Government as the works on this section, and it is of great importance that this dam should be kept in order so that the Canal may be kept open.

*Motion agreed to.*

#### PRINCE EDWARD ISLAND—RAILWAY COMMUNICATION.

##### MOTIONS FOR PAPERS.

MR. BRECKEN, in moving for an Address for copies of all surveys, engineers' reports, correspondence, memorials, papers and documents, having reference to a proposed railway connecting Cape Tormentine, in the Province of New Brunswick, with the Intercolonial Railway, and also connecting Cape Traverse, in Prince Edward Island, with the Prince Edward Island Railway, said: I may remind the House that, when the Province of Prince Edward Island entered Con-

ederation, in 1873, among the terms of Union guaranteed to that Province was the following:—

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

It is well known to this House that efforts have been made to carry out this promise. The steamer *Northern Light* was built by the late Government, led by the hon. member for Lambton, and placed on the winter route between Georgetown in the Island and Pictou in the Province of Nova Scotia. I do not profess, Mr. Speaker, to have such a knowledge of shipping as to warrant me in saying whether that vessel is properly modelled and built for the work intended for her, but I doubt very much whether it is possible to construct a steamer, I care not on what model or by what moulds, that will be able to keep up regular and constant communication throughout the winter months between the Island and the mainland, I do not believe it possible. I do not wish to undervalue the services of the winter steamer; she is no doubt an advantage to us, inasmuch as she keeps open the communication with Nova Scotia for six weeks after our summer boats cease running; the freight that she carries is a great advantage to our merchants besides affording facilities for females to travel to and from Prince Edward Island, which rarely takes place by the way of the Capes. From the experience we have had of the *Northern Light*, now extending over four winters, I feel justified in stating to this House that no winter steam-boat communication can fairly and thoroughly carry out and fulfil that condition of the Union which assured to us efficient steam service for the conveyance of mails and passengers between the Island and the mainland, placing us in continuous communication with the railway system of the Dominion. Mr. Speaker, the people of the Island look with confidence to the Government to carry out fully and honestly this condition. In 1878, the predecessors of the present Government sent an engineer to make a survey of the country lying between the Intercolonial Railway and Cape Tormentine, in the Province of New Brunswick,

MR. MACKENZIE.

and between Cape Traverse and the railway on the Island. Mr. McLeod's report may be said to be in favour of the undertaking. After examining several competent witnesses, living on both sides of the Straits of Northumberland, whose occupations have been for years to make the winter crossing, and whose experience was placed at his disposal, he reports :

“That the evidence appears to show that the most reliable way of crossing to the Island is by the ice-boats, and that a steamer cannot be used during that period, that there is no part of the Straits where the ice opens at regular intervals, but that the movements of the ice are governed by the wind ; that the best crossing for the ice-boats is between Allens on the mainland and Cape Traverse on the Island ; also that a screw steamer, drawing about 10 feet of water, would be the most suitable at all seasons when the crossing is practicable, and that the ice-boats would be enabled to commence crossing when the steamer is forced to stop.”

On reading over Mr. McLeod's report, and looking at his estimate of the cost of constructing wharfs on the New Brunswick and Island sides of the Straits, it is quite evident that his idea was to provide protection and accommodation for a steamer of the draft of the *Northern Light* which is from 18 ft. to 20 ft., for he speaks of building a wharf at Cape Jourmain, about 2,100 feet long, at a cost of about \$147,000, which will give 700 ft. of wharf at from 10 ft. to 12 ft. at low water spring tides, while, at Cape Traverse, he reports that the present wharf should be lengthened 740 ft. and widened, making it 2,200 ft. long, at a cost of about \$95,000. Less draft of water, and wharves probably of one-half Mr. McLeod's estimate, would be sufficient to accommodate a small tug-boat necessary for the efficient winter crossing. The country between Amherst and Cape Tormentine is very favourable for the construction of a branch railway at a very reasonable cost. This would involve a distance of about thirty-four miles, while the proposed branch between Cape Traverse on the Island and County Line station, runs a distance of about eleven miles, and through a country quite level. This latter route is, I believe, the shortest and most economical. The whole work might be constructed at a cost of about \$600,000. The Straits of Northumberland are about nine miles

wide in a direct course. The men employed in the hazardous and arduous service of carrying mails and passengers across these Straits are a brave, hardy, and careful body of men. Too much cannot be said in their praise. I doubt very much, Mr. Speaker, whether any body of men employed in the Public Service of this Dominion work harder and are so poorly paid as our mail carriers. Hon. members who fortunately live on the mainland and who reside near the centres of commerce are accustomed to receive with regularity their letters and correspondence, can scarcely conceive the disadvantages which the mercantile community and others in Prince Edward Island labour under from the delays and irregularities which occur in despatching and receiving Island mails. This is a matter of great moment to the Island, the drawbacks which are incident to our insular position should receive the earnest consideration of the Dominion Government, and we may ask as a matter of right under the terms of Union that these disadvantages should be lessened as much as possible. We see railroads involving the expenditure of millions being built in other parts of the Dominion yet unpeopled, and we from the Lower Provinces give our support to these great undertakings believing that they will tend to develop these hitherto unsettled Provinces. But we, from the Lower Provinces, come from a country thickly populated, which does not possess the means of communication which are afforded to the people settling in the North-West. We do not speak in a complaining spirit, because we believe both sides of the House were waiting to learn the result of the *Northern Light* experiment, which I boldly assert has failed to secure that continuous communication which we have a right to expect under the Terms of Union. I urge upon my hon. friend the Minister of Railways and his colleagues to give this matter their earnest consideration, and to see that the people of Prince Edward Island receive their due, and that the terms promised to us are faithfully and honestly carried out, and that, too, with as little delay as possible.

MR. McISAAC: In the Sessions of 1877 and 1878, the subject of the present motion was brought to the attention of the House,

and received full consideration. On those occasions, several hon. members, including all the representatives of Prince Edward Island, took part in the discussions. Some advocated the route between Cape Traverse and Cape Tormentine, some advocated Cape George as the mainland terminus, while others contended that a point near the mouth of Wallace Harbour was the most suitable terminus; all, however, agreed that the present route was impracticable, and that Pictou as a terminus should be abandoned. They attributed the failure of the *Northern Light* to the continuance of this route. The present Minister of Marine and Fisheries not only condemned the route, but maintained that the *Northern Light*, from her model and construction could never perform the service with any degree of success. Two years have since elapsed, and we find the same route continued; we find the model and construction of the boat have not been improved or changed, and, worse, no attempt has been made to effect an improvement. This is more surprising when it is known that the hon. gentleman, who had been the loudest in denouncing the boat and her performances up to the Session of 1878, has been since presiding over the Department which has exclusive control over the service. Since his elevation to office he has done nothing, said nothing, to remedy the grievance, which, until then, had been the object of his constant denunciation. It is not for me to impugn the sincerity which such an inconsistent course may open to suspicion. Let the people of his Province be the judges on that head. The service is most important to Prince Edward Island and the other Maritime Provinces. It affects more or less the whole Dominion. The maintenance in an efficient manner of steam communication in winter and summer, between the Island and the mainland, is a principal stipulation of the Union compact. Without this valuable guarantee, probably the Province would not yet have entered the Confederacy. Seven years of the Union have already passed, and this condition has not been fulfilled. The *Northern Light* was secured for carrying it out, but so far she has failed, simply, I believe, because Pictou was made the mainland terminus. For the past few years she has been struggling between

Georgetown and Pictou; the result is known to every man in the Lower Provinces. She has at least fully demonstrated her inability to perform the service between these two points. After so much experience, I believe she should be employed in discovering the most feasible route. Her duties for a time should be confined to the work of testing the comparative accessibility of the proposed points on the mainland. When the most accessible point is ascertained, then the question of connecting it with the railway system should be determined. If the route between Traverse and Tormentine is found to be the best, let the necessary railways and piers be constructed, although the cost, on presumably good authority, will exceed half a million dollars. I do not speak with entire confidence as to the accuracy of the estimate, but I presume the report and papers moved for by my hon. friend, when brought down, will show at least the approximate figure. Should the point near the mouth of Wallace Harbour be found to be the most accessible, I say let it be selected, and let the required railways be built. But, if the route between Georgetown or Souris and Cape George should prove to be the most practicable—and I believe it will, if amply tested—it should, for that reason alone, independently of additional considerations, be adopted. Cape George affords sufficient depth of water, has already a large pier, easily kept in repair, and is within about fifteen miles of the Eastern Extension Railway, which may be regarded an extension of the Intercolonial to the Atlantic. It is also several miles nearer Georgetown and Souris than Pictou, and any person will easily perceive how important a saving of even a few miles becomes in such an arduous navigation as that before the House. The construction of a railway over the short distance of fifteen miles would cost a mere trifle in comparison with the large expenditure required to connect any of the other points with our system of railways. I may say, also, that the ice never packs so solidly along this route as it does in the more western parts of the Straits of Northumberland. This arises from its proximity to the mouth of the Strait of Canso, and the entrance between Prince Edward Island and the Island of Cape Breton,

where the ice is never wholly at rest. The Government, I trust, will not authorise the construction of railway branches anywhere, in connection with this service, without first ascertaining the most feasible route. The experience of the last three or four years plainly establishes the wisdom of such a course. The country, with its present enormous liabilities for railroads and other public works, is not in a condition or mood to bear additional undertakings, especially while the success of the object in view is questionable. I hope the hon. the Minister of Marine will move in the matter at once, and will remain no longer exposed to the charges which he himself, with such earnest-looking indignation, had been making against his predecessor, while he was in the habit of protecting the interests of his Province from this side of the House.

MR. HACKETT: This question of winter steam communication is of great importance to the people of Prince Edward Island. The prospect of obtaining it was one great reason why the people of the Island consented to Confederation. That was well understood by the people of the Island at the time of Union, and it is better understood to-day. Owing to the peculiar situation of the Island, to her insular position, and to the fact that for five months of the year her coasts are completely surrounded with ice, she could not derive any benefits from Confederation. The people of the Island were aware that the Dominion was pledged to the construction of public works of great magnitude, such as the opening of Canals, the building of railroads, and other work of a similar nature. They also knew that, on becoming a part of the Dominion of Canada, they would be compelled to contribute their share for the construction of those works, and, unless means of communication bringing them in connection with the railway system of the Dominion, winter and summer, were secured to them, they would not be in a position to participate in the benefits which would accrue to the rest of the Dominion by the construction of these works. They therefore have it expressly stipulated in the terms of Confederation, that efficient steam communication, winter and summer, should be maintained by the Dominion Government, for the conveyance of mails and passengers

to and from the Island. Now let us consider for one moment how this part of the compact has been carried out. We find that for the first two years after Confederation nothing at all was done towards fulfilling this part of the contract, so far as the winter season was concerned. In the year 1876, the Government, recognising the rights of the Island in this matter, placed the now famous *Northern Light* upon the route between Georgetown and Pictou. I am not going to say anything disparaging of the *Northern Light*. She was built expressly for the purpose of testing the practicability of navigating the Straits in midwinter. She was merely placed there as an experiment and, if she has not come up to the expectations of those who took an interest in her, she has not altogether proved a failure. She has at intervals succeeded in effecting a crossing, sometimes making her trips with considerable regularity and sometimes being for a whole week at a time locked in the ice, being unable to move in any direction. She has, however, been successful to a certain extent and her operations have been of great benefit to those engaged in trade, as they have been enabled to receive consignments of goods that they otherwise would have to do without till spring. With regard to the carriage of mails and passengers, which is, after all, the main feature of this affair, and which is the only part of the original compact that we can insist upon having carried out, her operations have been most unsatisfactory. Even during the present winter, which has been one of the most successful seasons, it was found necessary, about the middle of January, to take the mails away from her, and have them forwarded by the only route by means of which communication can be kept up with the outside world in midwinter—the Capes route. Capes Traverse and Tormentine are only separated by a strait of some nine miles in width, and experience has shown, after many attempts at other points, that this is the route which must be adopted for our winter mail service. Such being the fact, it becomes the duty of the Government to so improve this route as to make it as perfect as possible, and all their energies and means should be concentrated on this one point. At present, the crossing is



effected by use of the small ice-boats, as it was before Confederation. I need not refer to the difficulties and hardships experienced by the brave and hardy men who have to perform this service, who are called upon in the middle of our severe winters to risk their lives in the public interest. They have been most successful in performing this duty, and, owing to their skill and ability, we are enabled to receive our mails with some degree of regularity. But the great difficulty they have to contend with is not the ice but open water, when high winds prevail, and they have been frequently compelled to return on account of the open water and lolly, without being able to effect a crossing. It is believed by parties who are competent to judge in this matter that a small steamboat to supplement the ice-boats would perfect this service so far as the crossing is concerned. The only thing then required to render this service complete, would be to connect this ferry with the Intercolonial and Prince Edward Island Railways; this would necessitate the construction of two short lines of railway on both sides. With this object in view, the late Government ordered a survey to be made of the proposed branches. This survey was made by Mr. McLeod, C. E., a gentleman of considerable ability, and he reported that the building and equipping of the railways, as well as the construction of wharves on both sides, sufficient to accommodate a steamer drawing 19ft. of water, would cost about \$600,000. I am of opinion, however, that it is not at all necessary to provide wharfing to the extent estimated by Mr. McLeod; that wharves sufficient to accommodate a vessel drawing 10ft. of water will answer all purposes, and thereby a saving of about \$100,000 would be effected. It will thus be seen that about \$500,000 will be the whole expenditure required, and, when we consider the large expenditure which is going on every year for the purpose of keeping faith with the Province of British Columbia, amounting to millions of dollars, I think we are not asking for anything unreasonable when we request that this small amount shall be expended at once for the purpose of carrying out the solemn compact entered into with Prince Edward Island. In looking over a debate which took place in

this House on this subject in 1878, I was pleased to find that the hon. the Minister of Railways and Canals, then in opposition, expressed himself in the following manner:—

“It was a part of the terms of Union with Prince Edward Island, and the Government of Canada was bound to accomplish, if that were possible, that communication which had been attempted to be made by means of the *Northern Light*.”

I presume the hon. gentleman is of the same opinion still, and now that it is clearly established that communication must be kept up by way of the Capes, I hope he will at once take action and cause these branch railways, so necessary to this communication, to be built without delay and thus carry out the terms of the Union with Prince Edward Island.

MR. YEO: I agree with all that has been said by the previous speakers respecting the necessity of undertaking the construction of the branch lines at once. They are required to keep up regular communication between this Island and the mainland during the whole of the year. One of the inducements held out to the people of Prince Edward Island to join the Confederation was the promise to establish steam communication with the continent in winter as well as summer. The Dominion engaged to do this by the Terms of Union. The *Northern Light* has done very well, better than most persons expected, but the experience of the last four winters has proved that she is not to be depended upon to make regular trips during the winter months. She was placed on the Georgetown route by the late Government, to keep up communication between that town and Pictou, but it was found that, owing to the irregularity of her trips, the mails were frequently delayed, to the great inconvenience of the people of the Island and their correspondents abroad. Experience has proved that the only practicable route is by Capes Traverse and Tormentine. The representatives of the Island did their best to convince the late Government that this is the only one that can be depended upon to secure regular mail communication with the Island in the winter season. They maintained that the only way to carry out the Terms of Union in this matter of mail communication was to connect the Island Railway with the

Intercolonial by means of two short lines of branch railways and a ferry. The Government, in accordance with these representations, sent Mr. McLeod, an engineer, and a competent man, to survey the lines and to choose a site for the wharves on each side of the Strait. His report is before the House. I consider that the estimate for building the wharves is much higher than will be required, as the *Northern Light* is much too large, and draws too much water to be placed on that route. If a small but powerful boat, drawing 10 ft. of water, was placed there, she would be large enough to do all the work required of her, and the expense of building wharves for such a boat would be comparatively small. The previous speakers have referred to the large sum it would take to do this work, but I do not think that considerations of expense ought to prevent the Government taking the work in hand immediately, as they are bound by the Terms of Union to keep up daily steam communication between the Island and the mainland. The Government is spending millions of dollars in British Columbia to fulfil its obligations with that Province, and Prince Edward Island has as good a right to insist upon the reasonable terms on which it entered the Confederation being kept as British Columbia. The hon. gentlemen who now form the Government made the bargain with the Island delegates, and, as they are strongly supported by the representatives from the Province, they should consider themselves under a greater obligation to do justice to the Province in this matter. The hon. the Minister of Railways, when in opposition, strongly advocated the branch lines, and now that he is in power the people interested expect that he will perform what he then promised. Besides, one of the branch lines will run through the hon. gentleman's own county, and he knew that many influential men among his constituents were very desirous of having it constructed. The hon. the Minister of Marine and Fisheries, when in opposition, was a strong advocate of the branch lines and the Cape Traverse route, and I hope that he will use his influence to have the work proceeded with as speedily as possible.

SIR ALBERT J. SMITH: I suppose I should make a few observations on a

subject in which my constituents have a very great interest, as well as the constituents of the hon. member for Cumberland (Sir Charles Tupper). The difference between him and me, however, is that I want the connection with Prince Edward Island established through my county, while he wants it in his. I am very glad the hon. members from Prince Edward Island are moving in this matter, which is one of great importance. I believe the Dominion is under an obligation to the Island in this matter; and I trust that as we have two Cabinet Ministers deeply interested in it, steps will be taken at an early day to give effect to the wishes of the people in that part of the country. I know that my hon. successor (Mr. Pope, Queen's. P. E. I.) was extremely anxious about this work. He used to pay my county the compliment of passing through it on his way to and from Prince Edward Island, and he has taken great pleasure in telling my constituents how important this work was, and that if I only chose to take the proper steps to exercise the influence I possessed with the late Government, there would be no difficulty in getting this work completed. He also stated that if there should be a change of Government there would be no question about securing this work. A change has come, the hon. gentleman himself being now in the Government, and I know that he may have the powerful assistance of the hon. the Minister of Railways in securing the enterprise. He, too, is interested in and has pledged himself to this work among his own constituents. When we find the hon. members for the Island, supporting the Government, unanimous on the subject, we might assume they would have sufficient influence to induce it to complete this necessary work. I am glad those hon. members have touched upon the subject of the *Northern Light*. The House knows that, in the time of the late Government, the denunciations of that steamer were almost unmeasured, and that I was severely reflected upon for having provided her. The present Minister of Marine then denounced the *Northern Light* violently, as worthless and unfit for the service, stating her purchase was an absolute waste of money. Now what do we find? I think this is the fourth year she has run, all the time

growing in the public confidence ; the members from the Island speak in the highest terms of her ; she has vindicated herself perfectly, it being admitted she has performed wonders in winter navigation. If the statements of the hon. the Minister of Marine and Fisheries were true, he should have stopped that steamer last winter. Yet she is still running, and I am glad to know she performs such good service. The same officers we had are still in command of her, but it must be admitted she cannot sustain the postal communication between the mainland and the Island, it must be kept up by the Capes. I think Mr. McLeod, the engineer, after a survey, reported that the only point at which communication could be maintained regularly with the Island was opposite the Capes. Whether the steamer can run there or not I am not prepared to say. I was very glad to find that my successor intended to put a steamer on at the Capes, to make the experiment. I learn that he has changed his mind, however, the reason, I presume, being that the *Northern Light* is doing such good service on the present route that she cannot be spared. The desire to keep the steamer running should not prevent us from getting the railway connection.

SIR CHARLES TUPPER : I have no objection to the motion. I took the earliest opportunity of laying before the House all the information we possessed in relation to this subject. In the terms of Union with Prince Edward Island, there is an engagement on the part of the Dominion to maintain steam communication both summer and winter with the Island, as far as practicable. The late Government, recognising the importance of that obligation, had the *Northern Light* constructed, and placed on the route for the purpose of endeavouring to maintain winter communication. The hon. member for Westmoreland, late Minister of Marine and Fisheries, knew that very great difficulties were encountered in this undertaking. I think the experiment has been more successful the present winter than in any former period, and I am afraid he is right in the conclusion that it is not practicable to maintain sufficiently regular communication for mail purposes by the steamer, except between the Capes. In discussing this matter with the present Minister

of Marine and Fisheries, it was determined, so soon as serious difficulties were encountered on the present route of the *Northern Light*, between Georgetown and Pictou, to place her between the Capes, to see how far the presence of a steamer there could assist in the navigation by keeping a passage open between the ice on both sides. I believe the *Northern Light* has been ordered to that service, with a view to the solution of that question. The subject of the construction of a railway has remained in abeyance, although a survey was ordered by the late Government, which was made by an able engineer, Mr. McLeod, who made a very valuable report on the subject. The subject has remained in abeyance until the further experiment be tried, of how far steam communication between the Capes can be established for mail service. The mails are now carried between the Capes by ice-boats ; but I am in hopes it will be found that either the *Northern Light*, or a boat more specially constructed for that service, will be able to maintain regular communication, or decidedly improve it, by making it less trying to passengers than that by the ice-boat system. It is incumbent upon the Government to carry out, as far as possible, the obligations of steam communications between the Island and the rest of the Dominion ; and, no doubt, although a very large expenditure is involved in the proposed wharves at the Capes, I believe it can be greatly reduced by getting a boat of lighter draught. Both the lines on the Island and the mainland are extremely favourable, and the grades are easy, and the work to be performed with the bridging is light. So it would not involve a very large expenditure to give us steam communication by Cape Traverse and the Intercolonial Railway. There need be no serious difficulty in completing the connection between those points, and I hope that at an early day the Government will be in a position to deal with this important work.

MR. MACDONALD (Kings, P. E. I.): The whole subject of steam communication between the points mentioned is very important. I differ from the statement of the hon. member for Queen's, P. E. I. (Mr. Brecken), that the *Northern Light* has fallen short of

expectations. When it was first contemplated to keep up winter communication with the Island by steamer, the most we looked forward to was a shortening of the winter by a boat that would succeed in running a month later in autumn, and a month earlier in spring. We find now that the *Northern Light*, after repeated trials and a great deal of mismanagement, has at last succeeded in keeping up communication between the island and the mainland during the whole of this winter. I had some doubts myself that this would ever be accomplished, but having made a trip in the *Northern Light* this winter, I have come to the conclusion that steam communication can be maintained between the Island and the mainland with very great regularity. It has been said that the straits were easy of navigation this winter; the contrary is the case. We found the gulf, seemingly, packed with ice, almost fuller of it than ever before, notwithstanding which the steamer continues to run; she made lately the round trip in one day, carrying a large quantity of freight and many passengers. I am informed that from the 1st January till the 1st March she carried over 200 passengers. This is a great source of comfort to the people compelled to travel across the Island in winter. The hon. member for Antigonish (Mr. McIsaac) said that the late Government agreed to abandon the present route from Georgetown to Pictou. After an experiment of several winters we have found it practicable. I believe that that is the only route practicable for steam communication. A good deal has been said against the *Northern Light*, but anyone who makes a trip in her by winter will agree with me that she is one of the best boats afloat in sea ice. I believe to-day no other boat would equal her in going through it. The hon. member for Antigonish says she is continually sticking between Georgetown and Pictou. I admit that during February last it took her a week on some occasions to make the trip, but unless a man's time is particularly valuable, it would be better spent in a comfortable steamer than on the ice-boats going across by the Capes. We know that the keeping open of communication with the Island, summer and winter, by steam, was one of the terms of Confederation. It is just possible that during the

depth of winter, and with only one boat on the route, the mail will be compelled to come by the Capes, to secure regularity. But I believe that if the Government would put on another boat on the route, between Georgetown and Pictou, we could have it almost as regular as by the Cape. In any case, I believe that it is the duty of the Government to carry out the terms of Confederation, and that the boat should be kept on her present route for the comfort and convenience of passengers. I have heard a great deal of denunciation of the *Northern Light* and her management. I can state from my own experience that the captain and crew who are now on board of her are good men, and the right men in the right place. Captain Finlayson is a good and careful man. It has been said that he is rather chicken-hearted, but it does not require a very great-hearted man to make the trip in the *Northern Light*. But if she gets into an ice-jam, he will look carefully after the ship and bring her safely out. The hon. member for Antigonish (Mr. McIsaac) believed the Cape George route was the best one for the *Northern Light*; possibly there may be something in that; it may be easier of access at certain times. But we know that the tides have more effect on the ice in the Gulf, and that the water between Pictou Island and the mainland is generally open by force of the tides. I trust, however, that to facilitate the present mail carriage, the Government will see its way clear to construct branches to the Cape in order that the winter service of the mails may be continued with regularity, while at the same time they continue the passenger service by the *Northern Light* to the eastern section of the Island.

Motion agreed to.

MR. BRECKEN, in moving for an Address for copies of all memorials, correspondence, papers and documents, having reference to a proposed branch railway connecting Rustico, in Queen's county, in Prince Edward Island, with the Prince Edward Island Railway, at or near Hunter River Station, said: I hope the hon. members of this House will not think the members from Prince Edward Island have contracted the railway mania, but this is a matter I wished specially to bring before the House. Rustico is a

settlement in Queen's County, situated eight or ten miles from the nearest station on the Prince Edward Island Railway. It is old and prosperous and thickly settled, chiefly settled by the French speaking population. It has a bar harbour, and the people fish extensively, the annual catch of mackerel amounting to 15,000 barrels. The country is densely populated, and besides affords many advantages as a seaside resort. The hotel accommodation is good, and annually draws from the hot and dusty cities of the Dominion and United States many visitors. Rustico and vicinity are rapidly becoming favourite resorts, owing to the health-giving and invigorating climate, affording also the luxury of sea-bathing to an extent not surpassed by any place in the Dominion. The branch that is asked for will be about nine miles in length, and will pass through a level country. It is the opinion of competent men who have examined the subject, that this branch would be the best paying portion of the railroad in the Island. I suppose there are nearly 1,000 farmers who would be profited by it as a means of transporting their produce to Charlottetown. Another consideration is that the island is becoming denuded of wood, and to this district will be obliged to resort to the use of coal as a fuel, for the transportation of which this branch would be of great utility. I know that the present railway engagements of the Government are very heavy, and I dare say they feel they have as much on their hands as can well be undertaken, but I trust this matter will engage the serious attention of the hon. the Minister of Railways. The House must remember that the Prince Edward Island Railway is a Dominion property, and if this branch was built it would add largely to the earnings of the road. At present, and without this branch, a large portion of the fish caught and produce raised has to be transported from Rustico to Charlottetown, a distance of about fifteen miles, in carts.

SIR CHARLES TUPPER: I have no doubt the work the hon. gentleman proposes is a very important one, and that it would be very desirable to extend a branch from the Island Railway to the point he mentions, but I am afraid that it is hardly possible for us to make any promises in connection with this work at

present. The efforts we are now making are to balance the expenditure, as far as we can, in the operation of the railway, and when that is accomplished, if it is possible to consider any extension, we will do so.

*Motion agreed to.*

#### NEW BRUNSWICK—CLAIMS AGAINST THE DOMINION.

##### MOTION FOR CORRESPONDENCE.

Mr. BURPEE (Sunbury), in moving for an Address for correspondence between the Government of New Brunswick and the Government of this Dominion, concerning certain claims made by the former Government against the latter, since the 1st day of March, 1879; also, all Orders in Council, since that date, referring to or dealing in any way, by ordering payment or otherwise, with said claims, said: I do not intend to refer to the merits or demerits of the claims referred to in this resolution at this time. Three or four times within as many years this subject has been brought up and urged by me in this Parliament. I am aware that there are many difficulties connected with the settlement of some of these claims, which has been complicated by previous legislation. A good deal of correspondence has taken place with reference to them, and deputations have been sent here by the Local Government, on several occasions, to effect their settlement. The members of the Dominion House of Commons were particularly urged by the Local Government to effect a settlement. A paragraph was inserted in the Speech from the Throne before the Local Legislature, making reference to these claims, and stating that they ought to be paid at once with interest. Members both of the Assembly and of the Council, in their places, warned the members of the House of Commons that unless they urged the former Government to come to some arrangement they would be held responsible. We did urge upon the late Government, as well as on the present Government, the settlement of these claims. We have now in power here the hon. the Finance Minister, who was then Governor of New Brunswick, and who took an especial interest in the settlement of those claims at the time. I am glad to see that he is now able to do a great deal towards securing an equitable

adjustment. Since the present Government came into power, there has been no conference, that I am aware of, between the members of the House of Commons and the members of the Local Government in reference to these claims; but during last summer we were informed that a deputation of the Local Government was at Ottawa seeking a settlement, but, as no information has reached the public as to what has been decided upon, I put a question upon the Notice Paper, to which I received no satisfactory answer, but was informed that, if I would give due notice and ask for the Orders in Council referring to the subject, it would give me the necessary information—which I did, and which is the resolution now before the House. I beg to suggest to the hon. the Finance Minister that, if he would now briefly explain any arrangements that have been effected, in advance of the papers being brought down, it would be highly satisfactory, as it might be several days before the papers would be prepared, as I understand that there are a great many parties in New Brunswick who are anxious to find out if any settlement was arrived at, and, if so, what amount was allowed. I am reminded that in the Estimates there is \$10,000 proposed to recoup the large expenditure for emigration in New Brunswick in 1874-5, made by the Government of New Brunswick. With reference to that claim, an arrangement was made by the late Government with some of the members of the Local Government that, on their expending a certain amount of money on emigration, the Dominion Government would supplement that amount by a like sum in New Brunswick to the extent of \$10,000. That arrangement was carried out for one year, and the following year they expended a large amount, but the Government in the meantime had decided that they would not allow the Local Government any further amount, and they were notified to that effect. But before the notification they contend they had expended a large amount. Now, I am glad to see this in the Estimates; I presume it is a settlement of one of these claims, but I regret they have not paid in full. If the amount of \$10,000 is due by their agreement, being five years ago, the interest on that amount is due likewise. The hon. the Finance

Minister will recollect that, when he was Governor of that Province, his Executive declared in his Speech from the Throne, on the opening of the Legislature, that the claims were just and should be paid with interest, and he no doubt agreed with this paragraph of the Speech. If the claim is equitable, they should have the interest upon it, which in five years would amount to \$3,000, making \$13,000 instead of \$10,000, as is proposed in the Estimates. With reference to the other claims it would be premature to discuss them until we are informed whether any portion of them have been paid, and how much, if any, on each claim.

Sra SAMUEL L. TILLEY: Considering the very great interest the hon. member for the last six years has taken in this subject, I trust the papers, when they are brought down, will give him entire satisfaction.

*Motion agreed to.*

RAPID DE FEMME, N.B., SALMON HATCHERY.

MOTIONS FOR RETURNS.

MR. COSTIGAN moved for an Order of the House for a return giving a detailed statement of the cost of the Salmon Hatchery at Rapid de Femme, N.B.; also, a statement of travelling expenses incurred by S. Wilmot, Esq., directly and indirectly, in connection with said hatchery.

*Motion agreed to.*

MR. COSTIGAN, in moving for an Order of the House for copies of all tenders received by S. Wilmot, Esq., for the construction of the Rapid de Femme Salmon Hatchery, and copies of all notices issued calling for such tenders, said: My object in asking for copies of these documents is to discharge a duty I think I owe to my constituents and myself. The work was improperly let and it was attended with unnecessary expense, and I have reason to believe that the duties connected with this matter have not been properly discharged. I took the necessary steps to have the matter set right, but did not succeed in doing so. Whatever qualifications that gentleman may possess, I came to the conclusion that his usefulness had ceased, so far as Victoria county is concerned, and I enter a solemn protest against his discharging those duties any longer in the constituency in

respect to which I have a right to speak. I did not ask anything unreasonable of the Government. I claimed that my political supporters and every man in the community should be placed on a fair footing and have a right to compete for the work. That is the only favour I asked, and I had a right to ask it. I have therefore called for these papers with a view of having the matters investigated, and I will do my best to establish the ground I have taken that the gentleman in question has not acted in a proper manner in the discharge of his duties so far as my constituency is concerned.

Motion agreed to.

MATANE POSTMASTER—L. N. BLAIS.

MOTION FOR CORRESPONDENCE.

MR. Fiset, in moving for an Order of the House for copies of all correspondence and other documents in relation to the dismissal or discharge from office of the ex-postmaster of Matane, L. N. Blais, Esq., trader, said: In making this motion, it is not my intention to begin over again the debate in relation to the numerous dismissals made in the county of Rimouski since the present Government have acceded to power. The dismissal I have just mentioned is, however, a special case. I think that, as an act of injustice, it surpasses all the other dismissals that have taken place in this sense, that it interests not only Mr. Blais, but also nearly the entire population of Matane, who, in this dismissal, have seen their rights and interests set aside. In order to establish the truth of what I assert, I shall read the petition forwarded to the hon. the Postmaster-General, on the 1st August, 1879, of which I hold in my hand a certified copy. It is as follows:—

“Sir,—The undersigned professional men, merchants, business men and others, of the parish of St. Jérôme de Matane, in the county of Rimouski, respectfully sheweth: That they have learned with regret that your Department intend to change the location of the post-office of Matane, and to place it on the west side of the River Matane, at the request of a few individuals, who have a personal interest in that change, which would be contrary to the justice your petitioners and the public have a right to expect from you; that for twenty-seven years and over, our post-office has been under the honest and able management of L. N. Blais, Esq., formerly a merchant and Justice of the Peace of Matane, and that no one has ever had reason to complain of the management of that office, but on the

contrary all have been highly satisfied by the courtesy and attention of that gentleman; that your petitioners comprise the greater number of inhabitants residing on the west side of the river, who, as well as all those on the east side, and the whole population in general, desire that the office should remain where it now is; that in view of the perfect satisfaction Mr. Blais has given to the public ever since his appointment as postmaster of Matane, your petitioners greatly fear, and for good reason, that they will suffer from so uncalled for a removal, and from the appointment to the office of a person not enjoying the confidence of the public; that, moreover, the post-office, where it is now located, is not more than two hundred yards from the centre of the village of Matane, while at least three-fourths of the parish, comprising one-half of the said village, are on the east side of the river, where the said office now is; that your petitioners would look upon it as an act of political vengeance and a serious injustice to Mr. Blais, and the public in general, if the post-office were changed as has been suggested to you in the interest of three or four individuals; therefore, your petitioners, relying on your sense of justice, your honour and the goodness of their case, earnestly hope that you will grant their request and refrain from removing the post-office of Matane. And will ever pray.

“Dated at Matane, 1st August, 1879.”

That petition, Mr. Speaker, bears the signatures of 183 persons, and I may further state that, with the exception of three or four individuals, all the parties interested, even those on the west side of the river, to which the post-office has been removed, alike signed that petition. But their protest was in vain. In vain did they appeal to the sense of justice and the honour of the Postmaster-General and to the goodness of their case. Mr. Blais has been dismissed, and the post-office handed over to one of the three or four individuals mentioned in the petition. How is it possible, in the face of a fact such as this, for hon. gentlemen to declare in this House that no dismissal has been made through political motives? It may be asserted, but the assertion will not find ready credence. The attempt to destroy the importance of the petition, by alleging that it was signed by residents of Petit Matane where there is a post-office, is a mere pretext put forward as an excuse for not having paid attention to the request of the petitioners, and it cannot justify the dismissal of Mr. Blais.

MR. LANGEVIN: At the time when these papers were presented, I do not remember to have seen this petition. I do not know whether it was presented before or after my departure for Europe;

MR. COSTIGAN.

but, however the case may be, I do not recollect this petition. I know that one of the petitions, which I saw at the time, was presented in favour of the post-office remaining where it was before. This petition was signed not only by persons who had immediate intercourse with this post-office, but by persons who lived three or four miles further on, and who had a post-office of their own. The reason why the place of the post-office was changed was because the village of Matane is on this side of the river; the church is also on the same side, and the farmers who attend this church for divine service on Sunday morning all come from this side of the river, and, consequently, it is there where the post office ought to be, so as not to compel persons to cross the bridge in order to look for their mail matter on Sunday. The papers will speak for themselves, and there is no objection on the part of the Government to lay the correspondence before the House.

MR. FISET: The hon. gentleman says that this petition was signed by persons who already had a post-office; I should much like to know what business these people, who already possessed a post-office of their own, had with that at Matane.

MR. LANGEVIN: That is just what I pointed out. I stated that the petition which I saw previous to my departure for Europe, in favour of keeping the post-office in the place where it was formerly, was signed not only by persons living in the neighbourhood, but also by people living three or four miles away, that is to say, at a place called Little Matane, where there is another post-office, and consequently these petitioners asked for the keeping up of a post-office by which they were not served.

MR. FISET: I am convinced that the persons who signed that petition are not three or four miles from the post-office of Matane. The hon. the Postmaster-General asserts that it is not the people on this side of the River Matane who asked that the post-office should remain where it was before. With the exception of three or four persons, that petition is signed by all the people of Matane on this side of the river, and amongst them the present postmaster, who himself thought that the post-office should be changed. What can be the reason for changing the post-office of Matane, when

the whole parish asked that it should remain in the hands of Mr. Blais, and no complaint whatever was made against him? When the papers are produced, it will be my duty to lay before the House the information in my possession in relation to that dismissal.

Motion agreed to.

#### MILITIA ACTS AMENDMENT BILL.

(Mr. Masson.)

#### FIRST READING.

The following Bill (*from the Senate*), was introduced, and read the first time:—

Bill (No. 70) Further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada.—(Mr. Masson.)

#### CANADA GUARANTEE COMPANY.

#### MOTION FOR STATEMENTS.

MR. ROCHESTER, in moving for an Order of the House for copies of all statements transmitted since the 1st day of January, 1875, to the hon. the Minister of Finance, pursuant to section 14 of cap. 48 of the Statutes of Canada, passed in 31 Vic., and pursuant to section 20 of cap. 42 of the Statutes of Canada, passed in 40 Vic., by the President, Manager, or other officer empowered thereto of the Canada Guarantee Company, a body corporate, incorporated by cap. 36 of the Statutes of Canada, passed in the 14 and 15 Vic., together with copies of all affidavits verifying such statements, and deposited with such Finance Minister, pursuant to the requirements of the Acts above mentioned, said: The object of this resolution has been to some extent gained since I put the notice on the paper by the fact of a Bill having been brought before a Committee of the House. So far as I can learn, there appears to be a general dissatisfaction with this company with regard to the payment of its claims, and there has been some talk that their capital was not sufficient to cover the amount they had insured. I see by their report that they put the amount of their unsettled claims at \$25,000. I know that in the city of Ottawa alone there are some \$19,000 of unsettled claims, and I am therefore led to believe that there must be more than \$25,000 of unsettled claims all over the



Dominion. It would appear, from the course pursued by the Manager of this Company, inasmuch as nearly every claim is contested, that they think it is only right to contest every claim that comes against them. I think these circumstances justify the resolution I now move.

Motion agreed to.

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

### After Recess.

#### PRIVATE BILLS.

##### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:—

Bill (No. 22) Further to amend the Act therein cited incorporating the Canada Guarantee Company.—(Mr. Girouard, Jacques Cartier.)

Bill (No. 23) To give certain powers to La Compagnie Française du Télégraphe de Paris à New York.—(Mr. Cameron, North Victoria.)

#### CREDIT VALLEY RAILWAY COMPANY BILL.—[BILL 53.]

(Mr. Haggart.)

##### SECOND READING.

Order for second reading read.

MR. CAMERON (North Victoria): As this Bill is extraordinary in its character, I do not think it right that it should pass the second reading without calling the attention of the House to its provisions. In taking exception, I do so in the discharge of a public duty. I have a knowledge of all the facts, acquired as counsel for the Northern Railway of Canada in the litigation which has been going on between it and the Credit Valley Railway, but I do not wish to say one word here except in the public interest and as a representative of the people—not in the interest of any particular company. The Bill substantially asks for three things. The gist of the Bill is contained in the three first clauses. I think that all the other clauses of the Bill are merely of a formal nature, necessarily following the three clauses to which I have directed attention. The first clause is a declaratory clause, that the Governor-General has control of the powers, lands and property of the Northern Railway Company. That is all based upon the allegation that a deliberate surrender of these powers, by the cancella-

tion of an Order in Council conferring them, was made by this Parliament inadvertently, and under a misapprehension of the facts, not knowing in reality what it was doing when it surrendered those rights. In 1859, all the property belonging to the Northern Railway Company reverted to the Crown, under a Statute then passed, which gave power to the Governor in Council to authorise other companies to work the line, which was financially involved and in a bad state of repair; and an Order in Council was passed giving over the line to the bondholders of the Northern Railway Company on certain conditions, one of the conditions being that they should raise sufficient money to put the road in repair, and that Order in Council made a reservation to the Governor in Council, as appears by the preamble of this Bill. There can be no doubt, as has always been conceded, that this power or reservation only applied to the then existing railways, and that it was put in for the express purpose of carrying out negotiations with the Grand Trunk Railway Company and the Great Western Railway Company, which had previously been proceeding. Immediately after that Order was passed, an arrangement was completed whereby the requisite rights of way were secured to the other companies, and that was ratified by an Act of Parliament, and after that there was no necessity for a reservation of that power in the Order in Council. When the Acts were consolidated, the Order in Council was deliberately, and with the full sanction of the Government and the House, repealed, inasmuch as every other condition in the Order in Council being fulfilled, and that condition also, it was entirely unnecessary that it should remain in existence. The object of the reservation was performed, and it was no longer of any value. This Bill proceeds as if it was intended by that Order in Council to reserve to the Credit Valley Railway, and any other railway, these rights and powers in opposition to the Northern Railway Company. That is an entire misapprehension, and those hon. gentlemen who were in the House when the Act of 1875 was passed, will confirm me in saying that the Order in Council was deliberately repealed; therefore it is not right to pass an Act of Parliament based upon a mis-

MR. ROCHESTER.

statement and misapprehension, as that clause is. The next clause gives certain rights to the Credit Valley Railway to enter upon any lands, and so on. In the first place this is a provincial railway company, a provincial corporation existing under a Statute of Ontario, and it comes here to ask us to give it power to enter upon lands of other companies chartered by this Parliament. This being a company not chartered under Dominion legislation, I doubt the right and power of this Parliament, and I question the expediency still more, of giving to a purely provincial corporation, of whose existence we have no knowledge, except such as we have of all the Acts of the Provincial Legislature, the rights which the second clause professes to give it. There are other objections to that clause, to which I will presently refer. My objection to the third clause is that it is wholly unnecessary; that right and power existed in the Railway Committee of the Privy Council, which has already employed an engineer to do this very thing, and that engineer has made his report and the Privy Council has passed an Order in Council in that respect. The power is already given which is now asked for. It is already given by the Railway Committee of the Privy Council.

MR. MACKENZIE: What is the date of the Order?

MR. CAMERON: It is dated 22nd July last. The Railway Committee considered this matter very fully. All interests were represented. They appointed an Engineer, Mr. Frank Shanly, to examine this property, and to make his report, and, after the engineer had reported, the Railway Committee, at a subsequent meeting, had it presented to them, and they adopted Mr. Frank Shanly's report and plan. Efforts have been made on behalf of this railway company to gain public sympathy. It has been represented that it was being ill-used by the Northern and the Grand Trunk Railway Companies, and that these two companies are against the Credit Valley Railway going into the city of Toronto. So far as the Northern Railway Company is concerned, they have no reason to object to the Credit Valley Railway but would be glad to see them in the city of Toronto, and they have signified their willingness in that respect; and as to the

Grand Trunk Railway Company, neither that Company, nor any other company, has the power to oppose the entrance of the road into the city. There is no obstruction, so far as the Northern Railway Company is concerned, nor can there be any obstruction so far as the Grand Trunk Railway Company is concerned; and there is no reason why the Credit Valley Railway Company could not, without this Bill, go on with the construction of the line. The decision of the Railway Committee of the Privy Council has given them that right. No company has the power to oppose them, even if they should wish to do so. The Northern Railway Company have given their express approval and consent, by a formal resolution of their Board, to allow the Credit Valley Railway to enter on their lands; and they favourably adopted the plan and report of the engineer appointed by the Railway Committee of the Privy Council. I say, therefore, that that clause is wholly unnecessary, and that we would only be passing needless legislation if we passed this Act as asked for. There are a number of statements in the preamble of the Bill which are entirely untrue. A discussion of them would show a number of reasons why the House should not pass the Bill; but I do not propose entering into the discussion of these reasons now, so far as they depend on matters of fact. One reason, however, why this Bill should not pass is, that the question is now in litigation before the Courts. By going on to this land the Credit Valley said: "You do not own this land; you are mere squatters, and we will go on in spite, and in defiance of you." The Grand Trunk filed a Bill in Chancery to restrain them, and the case is now and has been pending for months. The Credit Valley Company set forth these facts in their petition, and claim that the judgment already obtained is wrong and erroneous. They appealed from that judgment, and are now prosecuting their appeal. That being the case Parliament should not interfere, and by legislation of this kind cut the Gordian knot before the Court and declare what the legal right of those parties are. I have heard the argument advanced in this House and elsewhere that we ought not to interfere in a contest between parties in litigation before an ordinary tribunal, and

yet that is the very thing, according to their showing, that the Credit Valley Railway Company are asking us to do. Pending a settlement of their rights in Court they ask us to step in and decide in their favour, a request which is entirely contrary to usage and propriety in Parliamentary practice. Notwithstanding the fact that I have held the position of counsel in the litigation on this subject, as an independent member of Parliament I deem it my duty to call the attention of the House to improper legislation on a matter of this kind. I do not intend to offer any motion or amendment, but I simply wish to call the attention of the House to the facts I have mentioned.

MR. WHITE (Cardwell): I do not propose to discuss this Bill in any way, but I wish simply to point out the inconvenience of objecting to the second reading of the Bill. There is a very strong feeling in the district I represent on the subject, and I have received letters urging that some legislation of this kind should be adopted. The objections made by the hon. member for North Victoria (Mr. Cameron) are matters that ought to be put in evidence before the Railway Committee, where matters in dispute should be considered, and a decision arrived at according to the evidence produced. The statements made by the hon. gentleman may be accurate. There may be reasons why Parliament should accept this Bill—or they may all justify its rejection by the Railway Committee. But I think a matter of this kind ought to go to that Committee, where all the facts in relation to the case can be heard with much more convenience than on the floor of the House, and the Bill can be considered on its merits. I think, under those circumstances, the Bill should be read a second time and referred to the Committee.

MR. CARON: I agree with the remarks that have fallen from the hon. member for North Victoria (Mr. Cameron) with reference to this Bill, and I believe that the second reading should not be allowed. It is true that the objections against the Bill might very well be urged before the Committee on Railways, which, as the hon. member for Cardwell (Mr. White) suggested, would constitute a kind of Court where evidence could be taken and the merits of the case passed

upon. But I think it unnecessary to take this evidence or to send the Bill to the Committee, in view of the fact that on the face of it there are objections which cannot be overlooked, and that the questions in dispute are pending before the Courts. As I understand it the Credit Valley is a local road—a provincial railway coming under the jurisdiction of the Local Courts. It seems to me, therefore, that there is no reason for it to come here and ask the Federal Parliament to interfere in its behalf. The license of occupation was granted to the Credit Valley Railway by the hon. the Minister of the Interior, for a portion of the reserve which had been given to the Northern Railway and the Grand Trunk Railway. It will be seen, on reading the Order making the grant, that it is extremely guarded; but it was quite evident that the Federal Government consented to allow the Credit Valley Railway to pass over the lands which had been granted to the other railways. But there was a proviso to the effect that the license of occupation should not operate to imply any covenant or agreement on the part of the Crown to give possession, but that the license should be subject to any legal right to which the Grand Trunk or Northern Railway might possess. It is quite evident that the Government foresaw the difficulties in the way of this grant, and a decision of these difficulties, it appears, is now pending in the Courts of Ontario. It would be a most dangerous precedent for Parliament to set, if it should pass this Bill, while those questions are before the ordinary tribunals of law. It seems that the Credit Valley Railway Company have selected that remedy, and I think it would be quite improper for Parliament to interfere now. I cannot rightly understand that all these objections can be urged before the Railway Committee; but if hon. gentlemen are convinced, as I am at least, that there are objections which should not and cannot be overcome, to this Bill, why allow it to go before the Committee? Why not dispose of it immediately? The principle for which I am contending is of such importance that I should like to see Parliament, by the rejection of the second reading, asserting that the case should not be taken from the Courts and disposed of by a Bill of Parliament.

MR. OLIVER: The subject is of con-

siderable importance to a section of Ontario. It is true this is a local road as regards its charter, which came from the Local Government; but it is intended to become a through line, which it shortly will be. It extends from the town of Ingersoll to the limits of Toronto, one branch running back into the county of Wellington. It is 160 miles in length, completed, and there are some twenty-two or twenty-three miles, from Ingersoll to St. Thomas, where it connects with the Canada Southern. Then it will be an outlet for the Canada Southern from St. Thomas to Toronto, and there is not the slightest doubt that that road will be continued from Ottawa through the centre of Ontario to Toronto; and if that work is to be finished, it will be a grand through line, connecting with the Canada Southern at St. Thomas, and extending to Ottawa, where, joining the Occidental Railway, it will connect with Montreal and Quebec. So that our Quebec friends, interested in the Occidental road, have as deep an interest in this subject as we in the west; for there is not the slightest doubt in my mind it will be a through road. The hon. gentleman who opposed the second reading, stated that one of his reasons for so doing was that the Credit Valley Railway had tried to create a sympathy in its favour, which may be the case. But what did the Northern and Grand Trunk Railways do? Did they not try to create a sympathy in the country and in the House in favour of their views and against the entrance of the Credit Valley Railway into Toronto? Ever since the inception of the Credit Valley Railway, those roads have endeavoured in every possible way to defeat it—in the municipalities, where it sought for business, and elsewhere. The hon. member for Quebec (Mr. Caron) stated that the Northern and Grand Trunk paid for the right of way into Toronto. If I am not misinformed, the Northern never paid anything for it. True, it spent a considerable amount in making the hundred feet of the Ordnance Lands, suitable for the railway track into Toronto; but, for the line itself, it never paid a single cent. Now, the Credit Valley Railway is perfectly willing to pay its proportion of the amount spent in improving the 100 feet width. This was a portion of the Ordnance Lands reserved by the Government, for a right of way for all the western roads entering Toronto; and in 1875, when the Northern Railway asked for a Bill to pass here, I proposed an amendment re-investing in the Government the power of those 100 feet. On that occasion, the Northern Railway authorities pledged themselves that they would throw no obstacles whatever in the way of that road coming into Toronto; but it appears that as soon as they got their Bill passed, they made every effort to prevent the Credit Valley Railway coming into that capital. I wish to show you the interest that Toronto and other western municipalities have in this road. Toronto gave it a bonus of \$350,000; a part of the county of Oxford, \$200,000; Wellington, \$135,000; Waterloo, \$110,000; Halton, \$70,000; Peel, \$75,000; the town of Milton, \$30,000; Brampton, \$20,000; Ingersoll, \$10,000; Orangeville, \$15,000; Streetsville, \$20,000; the Provincial grant was \$3,000 a mile—altogether \$558,000, or a total of \$1,673,000 given towards the construction of this road. It has been said this road is an opposition line to the roads from Toronto westward; that was the very object of building it. If those other roads now obstructing the entrance of the Credit Valley into Toronto had done anything like justice to the various sections of the country west of Toronto, this road would never have been built. As an instance—one miller in Ingersoll has got, within six months, from the Great Western, between \$600 and \$700 of rebate, which, had the Credit Valley not been built he never would have received. This Bill should pass, or at any rate be allowed to go to Committee. When this road was prepared to enter Toronto, the Northern Railway and the Grand Trunk built a station-house right upon the 100 feet, and laid tracks over the whole of it also, which are not necessary for those two roads. They were laid purely for the purpose of an excuse for depriving the Credit Valley Railway of the privilege of entering Toronto. Now I submit that this House, having jurisdiction over a Bill of this kind, because those lands belong to this Government, this House is the proper body to deal with the matter. The hon. member for Quebec stated that this railway ought to take the track laid out by the Government Engi-

neer, last summer. I understand that he laid it out on that part of the 100 feet occupied by the Grand Trunk, and that as soon as he did so, or immediately afterwards, the Grand Trunk covered the whole ground with tracks, which were supposed by the company necessary for the work of the road, but which other people supposed it did not require.

Mr. MACDOUGALL: The construction of the Credit Valley Railway has been completed from Ingersoll, the most distant point in the west, to the limits of Toronto, its object being to find a terminus at the waters of the bay, and in the port of Toronto—a very proper and important object to those interested in the success of that railway, and to the people in the country through which it passes. But they are met at Queenstreet, in the city of Toronto, by the opposition of the Northern and Grand Trunk Railways. The Credit Valley requires a piece of land, over which it is said, by the engineers and experts who have examined the question, it is necessary—convenient and not disadvantageous to those railways—that the Credit Valley should pass. The railway companies referred to say the property belongs to them—that they have the exclusive control of it—and they refuse to permit the new railway to reach its terminus over their property. But it turns out that this property does not belong to them, except by occupation; that they never purchased it or paid for it, or became legally possessed of it, and that it is still the property of the Crown, which the hon. the Minister of the Interior represents, as Administrator of Ordnance Lands. He has assumed to have, and has exercised the power of granting right of way or license of occupation to the Credit Valley Railway to reach its terminus at Toronto over it. The question of title was argued at considerable length before the Privy Council, on two separate occasions, by lawyers representing the different interests, aided by engineers able to explain the legal, physical and traffic difficulties of the case. It was decided by that high tribunal that it was lawful, proper and expedient to grant the Credit Valley Railway Company what it claimed, and license of occupation was granted on the assumption that the Minister representing the Crown had the right to grant it—but subject to any right, legal or

equitable of any other company or party. The other railways resorted to the Court of Chancery to prevent the Credit Valley entering upon what is called the 100 feet strip, by pleading their possessing rights against the right of the Credit Valley Railway Company, under its license, succeeded in obtaining an injunction, and having it made perpetual, preventing the Credit Valley from obtaining the benefit of the right of way desired and conceded by the Crown. The Credit Valley Company believethat the High Court of Parliament which has jurisdiction over this public property, is the only power which can settle the difficulty, and, while giving the opposing railways as much as is convenient and proper for them, can and will give the Credit Valley access to the city of Toronto and the waters of the bay. They have come, I think, in their right, to ask the assistance of Parliament. If they do not make out a case by evidence, before the Railway Committee, composed as it is of experienced men, and establish their claim to the assistance of Parliament to secure an entrance into Toronto, the Bill will be rejected. The Constitutional and other questions will be heard by the Committee, when, I venture to say, the Credit Valley Company will succeed in showing the Committee, and afterwards to this House, that Parliament can take cognisance of corporations created by the Local Legislature. We here deal with the rights of individuals in any Province, and corporations are simply a certain number of individuals authorised to act, and to sue and be sued as an individual. I believe this is a proper case to go before the Railway Committee.

Mr. HOLTON: I think it is quite clear that this Bill ought to go to the Railway Committee. It is perfectly understood we commit ourselves to no clause or principle of a private Bill by sending it to the appropriate Committee, where alone the allegations of the petitioners and counter allegations of the opponents of the Bill can be inquired into and considered. I have no prejudice and no interest in the conflict that seems to be raging over this Bill. But I know something of the usages of the House. I know no hon. member is supposed for one moment to commit himself to any principle contained in a Private Bill. It goes

to the Committee, where alone it can be properly dealt with. How can we take the dicta of hon. members opposed to this Bill without inquiry into the subject. We must have an inquiry before we are competent to pass judgment at all.

MR. DOMVILLE: I would like to remind the hon. member that when the Albert Railway Bill was going through the House he argued the other way. He said there was a principle involved in the Bill which should not be sent to the Railway Committee until that principle had been passed upon, inasmuch as we might otherwise adopt a policy that was likely to be disadvantageous in principle.

MR. HOLTON: I do not distinctly remember the circumstance. My impression is that the Bill was brought in at the heel of the Session, and it was considered in Committee. I think we must consider Private Bills on their merits. The doctrine frequently laid down by the right hon. the leader of the Government, and I think very correctly, is that we are not to be held committed to what we know really nothing about nor can know anything about, until the Bill has been before some Committee for examination into the allegations and counter-allegations in regard to the measure.

MR. PLUMB: I think my hon. friend from Kings has made a strong point against the hon. member opposite.

MR. HOLTON: It has no reference to this matter.

MR. PLUMB: The hon. gentleman is an undoubted authority upon points of Order, and as such is entitled to every respect, but sometimes I think his judicial disposition is a little affected by the peculiar circumstances of the case. I think in the case now before the House he has enunciated doctrines opposed to those which he advanced in the case of the Albert Railway. In the Bill which we have now under consideration, hon. gentlemen will find that there are ample subjects for discussion before it goes to Committee. The Bill states that this matter is appealed to the Court of Chancery of Ontario, and pending that appeal they petition this House to decide the question. The Bill also says that in 1875 a grant was made to the Northern Railway Company, and insinuates that the Government of the day—for whose action the hon. gentleman opposite, then First

Minister, is responsible—did not know what they were doing. I am opposed to this Bill, although I have no prejudice against the Credit Valley Railway. I have only to say that if this Parliament is to be a tribunal for taking evidence and deciding legal questions of that kind, it will have to sit more than three months. I for one do not think the time of this Parliament should be taken up by judicial questions, which can be properly disposed of elsewhere.

MR. BOULTBEE: I do not rise for the purpose of either defending or attacking this Bill, but there is perhaps a principle underlying the action sought to be taken here that is worthy of a good deal of attention. It seems to me that there is nothing we should guard against more carefully than encouraging these great railroad corporations to come to this House and seek to accomplish by means of legislation that which they should properly obtain through the Courts of Law. I think it is a dangerous thing; the power of these corporations is so great, they are able to exercise so much influence that it cannot but be patent to you, Sir, and to the House, that they are able to bring a good deal of influence to bear. Of course a great deal of sympathy is sought to be raised on account of the position of the Credit Valley Railway. A number of hon. gentlemen who have been instrumental in giving bonuses to that road would like to see every advantage given it possible. But the real element to be considered here seems to me to be a grave one, namely, that we should be careful in legislating away rights which are secured to persons or corporations, and, if any of the rights and any of the properties they claim to hold are not theirs by right of law, their right can be enforced against them in a Court of Law, and any wrong can be redressed by the same means.

MR. HOLTON: I think I have called to memory the action I took in relation to the somewhat celebrated Albert Railway Bill. I argued on that occasion in favour of referring an amendment to the Bill made by the Senate to the Railway Committee, which is in every way consistent with the course I am now taking. Some hon. gentleman pretended that it was competent for the House to pass on this amendment without reference to the Committee. I argued as forcibly as I

could in favour of the reference of a small amendment to the Railway Committee. I am now arguing in favour of referring a long and important Bill at its inception to the Committee according to the usual practice. There is not that degree of inconsistency, or indeed any inconsistency at all, in my action which the hon. gentleman has endeavoured to fasten upon me.

SIR JOHN A. MACDONALD: I quite agree with my hon. friend from East York (Mr. Boulton) that we should consider gravely any application made to set aside the decision of legal tribunals and adjudicate ourselves. But I take it that is not the question before us now. The question is the reference to the Railway Committee. My hon. friend from Chateaugay (Mr. Holton) says the passage of the second reading in no way pledges the House to the principle of the Bill, but merely enables the Railway Committee, the tribunal specially selected for making enquiry into such matters, to consider the measure either in Committee of the Whole or by a Sub-Committee. We are losing a good deal of time, and it seems to me it would be better to allow it to go to the Committee of Railways and be dealt with when it comes from that Committee. It is the duty of every member of the House to fully consider whether the report is such as in his opinion it is wise to adopt, if the Bill, when it comes back from Committee, should operate in any way as interfering with any of the tribunals of the country.

Bill read the second time.

#### PRIVATE BILLS.

##### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 60) To incorporate the South Saskatchewan Valley Railway Company—(Mr. Robertson, Hamilton.)

Bill (No. 63) To extend the powers of the Manitoba South-Western Colonisation Railway Company, and to further amend the Act incorporating the said Company—(Mr. Schultz.)

#### MARRIAGE WITH A DECEASED WIFE'S SISTER LEGALISATION BILL.

[BILL 30.]

(Mr. Girouard, Jacques Cartier.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

MR. MILLS: I think that the amend-

MR. HOLTON.

ment of the first section by striking out the words "and valid" would meet some of the objections to the measure on ecclesiastical grounds. The measure would then encourage the marriage as a civil contract, and leave untouched the question of its ecclesiastical validity.

MR. KAULBACH: I am in receipt of a letter from a clergyman of the Church of England asking for delay in the passage of the Bill until the friends of the Church, in the various parts of the Province, may have an opportunity of learning more of its merits. I think it advisable that this measure should be delayed.

MR. MILLS: I move that all the words after the word "legal," at the end of the second line of the first clause, be struck out.

MR. WELDON: There is this difficulty in the matter. This measure declares such marriages to be legal, and the Statutes of the Local Parliament compel officiating ministers to officiate where there is no legal impediment.

MR. MILLS: We cannot compel anyone to perform the ceremony, nor can we say they shall not perform any ceremony. That is a matter clearly within the province of the Local Legislature, as it relates to the solemnisation of marriage, and one with which we have nothing to do.

MR. ANGLIN: It would be more convenient if the hon. member would take another mode of ascertaining the opinion of the Committee on this point. Some of us may wish to strike out the words "and valid," and retain the rest.

SIR JOHN A. MACDONALD: This House cannot by legislation compel a minister to perform a marriage ceremony, or interfere in the matter in any way. A part of that clause trenches very closely upon the jurisdiction of the Local Legislatures, if it does not directly interfere with them, as I am not quite sure it does not. I was much struck by the line of argument taken by the member for Gloucester (Mr. Anglin) the other day, and I am not at all sure but that that section had not better be amended. I am strongly in favour of leaving the clause as it will stand as amended by the hon. member for Bothwell (Mr. Mills).

MR. JONES: If this Bill is to be passed, it had better be passed in the shape the hon. member for Bothwell proposes.

That is the only way that Bill can pass this House at all.

MR. LANGEVIN: I would observe that, by this motion of the hon. member for Bothwell, only the two first lines of the clause will be left, that is to say, these words:—"Marriage between a man and the sister of his deceased wife, or the widow of his deceased brother, shall be legal," and then the words "and valid," with the two provisos will be struck out, the first proviso reading as follows:—

"Provided always, that if in any Church or religious body whose ministers are authorised to celebrate marriages, any previous dispensation, by reason of such affinity between the parties, be required to give validity to such marriage, the said dispensation shall be first obtained according to the rules and customs of the said Church or religious body."

And I must say that, if we were to adopt this clause, we would, in my opinion, exceed our jurisdiction and infringe upon the rights and privileges of the Local Legislatures according to the Confederation Act. The provision relative to the dispensation mentioned in the tenth line is strictly within the province of the Local Legislatures. Such is the meaning of the Confederation Act, not stated in so many words, but understood by the promoters of that measure at the time it was drawn up. I may remark that I had the honour at the time of giving the views of the Government on that subject, when my right hon. friend who now leads the Government was at the head of the then Government. The views then expressed met with the approbation of the House at the time. The proviso in question in the present Bill is, therefore, strictly within the province of the Local Legislatures, and this power ought not to be assumed by this Parliament. When I first looked at this Bill, and considered the reason given by the hon. member for Bothwell the other night for striking out all the words after the word "legal," I thought I could not really vote for the Bill; and for this reason, that, as a Roman Catholic, I cannot admit that the Parliament of Canada has the right to legislate on the subject of marriage, pure and simple, which would be an interference with the rights and privileges of my Church, which holds marriage to be a sacrament. On the other hand, the Confederation Act having reserved to the Local Legislatures the

right to legislate on the celebration of marriage, and those Legislatures having asserted the right to determine those points, I think we would be only acting within our province by adopting the amendment of the hon. member for Bothwell. I would have preferred to put in this Bill a proviso that any marriage contracted according to the rules and prescriptions of the Church or the Churches to which the parties belong, between brothers-in-law and sisters-in-law, would be legal; but, considering the difficulties that such legislation would lead us into, and the difficulty there would be in determining the functions of the Legislatures and the Parliament on this point, I am ready for my part to vote in favour of the amendment proposed by the hon. member for Bothwell. I cannot help thinking that the hon. gentleman who has just spoken is mistaken, if he says that the matter of dispensations is within the power of the Local Legislature. The Local Legislature has, by the Confederation Act, power to legislate about the solemnisation of marriage, and the mode of celebration necessary to render the marriage legal and binding; but nothing to do with regulating as to the parties who shall marry. That, it is admitted, belongs to this Parliament in the legal sense of the Confederation Act.

MR. ANGLIN: Catholics believe that only the Catholic Church can make any laws affecting the validity of marriage—the *vinculum matrimonii*. In considering the clauses of a Bill of this kind, the views of all parties must be taken into account. If we could pass a Bill merely declaring that marriages celebrated according to the rules and regulations of any Church should be legal, it would be a very simple matter. Under the proviso as framed the only question that arises is whether we should or should not distinctly and directly recognise the powers and authorities of any Churches or religious bodies to regulate the conditions on which marriages are to be contracted. That is the object of the framer of the Bill in providing that, where dispensations are required under the laws of any Church, such dispensations must be obtained to make the marriage legal. I see the word "valid" is used throughout; we ought to substitute "legal" for "valid" in every instance. It would be



better if the question was taken on a motion to strike out the word "valid;" after that, we could, with less embarrassment, consider whether we should recognise the right of the Churches, or any of them, to take a share in determining the legality of marriages; whether we should recognise the right claimed to require dispensations before celebrating the marriage. With regard to jurisdiction, the Act of Confederation must be taken as we find it, and we must interpret its meaning as it clearly appears on the face of it, without regard to the views of the hon. gentleman who discussed this question when the scheme for Confederation was brought forward, or when the Act passed through the Imperial Parliament. I would like to hear the hon. mover, who desires to retain one of the provisos. I would prefer that we should vote on each particular branch of the question, and not on all together.

MR. LANGEVIN: The hon. gentleman is right in saying that we must interpret the Confederation Act, taking it as it is; but, if some disposition is not clear, or requires some explanation, it is quite within our right and the manner of, and rules for, the interpretation of Statutes, to see how the framers of the Bill viewed the subject at the time the law was passed. I agree with the hon. gentleman that the solemnisation of marriage is left entirely to the Local Legislature to deal with; but, with reference to these dispensations, I say that the question is not left to the Local Legislature, but to the Church to which the hon. gentleman and myself belong. If a marriage is to be contracted between parties of the Catholic faith, and dispensation is required, according to the rules and prescriptions of the Church, the law does not say that the dispensation will be such and such, but mentions the dispensation authorised by the Church, and the marriage then takes place. We have no right in this Parliament—with all the great powers that we own and claim and have—we have no more rights than the Confederation Act gives us; and those powers are limited on this subject; we have to declare what is the status of parties throughout the Dominion; but what the mode of celebration is to be, or what the dispensations shall be, is not within our province. After considering and weighing well that

clause, I am disposed to vote for the amendment of the hon. member for Bothwell (Mr. Mills), as I have already stated.

MR. CASEY: While I agree with the hon. Minister in wishing to expunge this clause, I do not coincide in the reason given by him. I understand him to contend that—this being a question of whether a prior dispensation is requisite to make a marriage valid—the power over these dispensations rests with the Local Legislatures entirely; and it is there I must take issue with him. I think the Constitution says it rests with the Local Legislature to say how the parties shall marry; but the question here is who shall marry? It rests with the Local House to say by whom the marriage ceremony shall be conducted and how it shall be conducted; but it rests with us in this Parliament to declare what persons shall have power to marry one another. Although I do not admit that we have no jurisdiction, I think this clause had better not be in the Bill. I think it would be as well to take this question of expunging the clause piecemeal, and make it two or three votes, as my hon. friend from Gloucester (Mr. Anglin) suggests.

SIR JOHN A. MACDONALD: But, if those hon. gentlemen who think it goes too far will not vote, I do not see how the hon. member for Bothwell (Mr. Mills) can alter his motion.

MR. MILLS: It is open for any member to move an amendment.

SIR JOHN A. MACDONALD: He might move that all after the word "valid" might be struck out.

MR. MILLS: Or stand as part of the Bill. With regard to the question of jurisdiction, I think the rule was well recognised in the Constitution of the United States, that it was necessary to look whether the power given is general or special. Now the question of property or civil rights was given to the Local Legislature. Out of that power was carved another—the subject of marriage and divorce—which, being carved out of a larger power, should be construed strictly; and then out of that is carved the power over the solemnisation of marriage. I am inclined to agree with the views expressed by the hon. the Minister of Public Works, that, after all,

the power does not rest here. There is, too, this consideration, that, by the canons of the Catholic Church, marriage is a sacrament, and it is by the authority of the Church and not by Acts of Parliament that marriages celebrated by that Church are rendered valid; and it is on that account that I strike out the word "valid." Protestant clergymen are divided on the question. Many do not think marriage between a man and his deceased wife's sister is right. There are a great number of laymen of a different opinion; and these would not be willing to leave it to their clergy to decide for them the question of the propriety of such marriages, and I propose to protect their right of private judgment. I think, if we have the power to pass this proviso, we could not meet the views of various classes by doing so. We should find ourselves more free, and give less offence to the consciences of the people by leaving the proviso out.

MR. WILLIAMS: It seems to me that, if the amendment of the hon. member for Bothwell passes, clergymen who have religious scruples against performing such marriage ceremony might perhaps be under the impression that the law intended that it should be compulsory upon them to perform the marriages which this Act legalises. Under these circumstances, and knowing, as I do, that many of the clergy of the Church of England felt that they could not do so without breaking their ordination oath, I cannot see why the last proviso should be also struck out. I therefore move in amendment to the amendment that the second proviso be retained.

MR. WELDON: This difficulty it seems has arisen from the division of powers under the British North America Act. The proposed Bill declares the marriage with a deceased wife's sister to be legal. With regard to the members of the Roman Catholic Church, they stand in a different position. They rely on their dispensation to render the marriage valid, but, with regard to the Church of England and Presbyterian Church, many of their ministers have conscientious scruples as to its legality, and they are placed in an awkward position. On the one hand, it is declared by this law to be legal to solemnise these marriages, and on the other, a clergyman,

believing it to be a violation of the ordination vow, cannot perform such a marriage; therefore, it seems to me that it would be wise to retain that provision, a negative provision, not to be compulsory on them. A clause might be prepared and put in by which men holding conscientious views, feeling that they cannot perform the ceremony, may be relieved.

MR. CASEY: I do not think any such provision is necessary. This is only a permissive Bill. It does not say that a clergyman must marry the parties, but it says he may marry them, and I do not think there is any danger of a clergyman being compelled to solemnise such a marriage against his conscience.

SIR JOHN A. MACDONALD: I think the question is this: Does this House believe that, under the terms of the Confederation Act, we have the right to adopt this clause? If we have not, we should not adopt it, for it might destroy the Bill altogether. Supposing the Bill was carried, and anyone should bring it up before Her Majesty's Government, within two years, and show that the Bill was *ultra vires*, it would be disallowed. As the hon. gentleman who spoke last says, there is no law compelling any clergyman to marry those persons, and there is no use of running a chance of defeating the Bill, when I do not think we have that power.

MR. ANGERS: I am in favour of the principle of the Bill, because I find that its enactments will make the law of the land in accordance with the law of my Church, when proper dispensations are obtained. I am also in favour of it because I have heard from the best authorities in this House that, according to the Church of England, such a marriage is only voidable and not void. I would, however, prefer retaining the proviso. To remove the proviso is to offer perhaps an inducement to people to infringe the laws of their own Church. With the proviso, they must first remove the impediments which may exist according to the rites of the congregation to which they belong. Article 127 of the Civil Code of Quebec will still be in force in that Province. The impediments imposed by the Church of Rome, which have to be removed before such marriage, can be celebrated in so far as Roman Catholics are concerned. I do not, however, find the same protec-

tion in other Provinces. The impediment removed from Article 125 will fail as a general impediment without Article 127. I think it would not be infringing upon the powers and limits of Local Legislatures if we stated that marriage with a deceased wife's sister or the widow of a deceased brother shall be legal, if we put in a proviso requiring the fulfilment of the formalities imposed for the celebration of marriage by the laws of the Provinces to which the contracting parties belong. I am very much in favour of such a proviso, but I am willing to vote for the Bill pure and simple as the hon. member for Bothwell (Mr. Mills) proposes to amend it. I have faith in the liberality of the Local Legislatures of the several Provinces, and believe that they will not enact laws contrary to the rules of any Church.

Amendment to the amendment (Mr. Williams) *negatived*.

Amendment (Mr. Mills) *agreed to*.

MR. JONES said the amendment to the second clause showed that the remarks he made the other night were correct, that this Bill was brought in for interested motives. He thought, therefore, it should not be pressed to a conclusion hastily. A number of petitions might be presented against the Bill if there was a delay of a week.

Bill, as amended, *ordered to be reported*.

House *resumed*.

(In the House.)

Bill, as amended, *reported*.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally *agreed to* :—

Order of the House—Copies of all papers, documents, evidence and reports in reference to the charges made to the Department of Inland Revenue against Mr. Armstrong, Inspector of leather and raw hides for Toronto.—(Mr. Robinson.)

Order of the House—Copies of all correspondence between the City Council of Winnipeg and the Department of Railways, and between the Manitoba South-Western Colonisation Railway and the said Department, on the subject of a bridge over the Red River, within the limits of the city of Winnipeg, and for all plans and specifications for the said bridge, furnished by the City Council of Winnipeg to the said Department.—(Mr. Schultz.)

Order of the House—Copies of all papers, plans, specifications and correspondence in regard to the bridging of the St. John River, at

MR. ANGERS.

St. John, for railway purposes.—(Mr. Kirkpatrick.)

House adjourned at

Twenty-five minutes after

Ten o'clock.

## HOUSE OF COMMONS.

Thursday, 11th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

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

Bill (No. 71) To incorporate the Pontiac Pacific Junction Railway.—(Mr. White, North Renfrew.)

Bill (No. 72) To extend the corporate character and powers of the Direct United States Cable Company to the Dominion of Canada.—(Mr. McCarthey.)

### AUDIT OF PARLIAMENTARY ACCOUNTS.

#### RESOLUTIONS ADOPTED.

MR. KIRKPATRICK: I beg to move that the report of the Select Standing Committee on Public Accounts be concurred in. This report is printed in the Votes and Proceedings of yesterday, and refers to the subject of auditing the accounts of expenditure for salaries and contingencies, of the House of Commons and members' indemnity by the Auditor-General. It is a new practice, and it has been introduced because it was considered the Audit Act did not give the Auditor-General this power. The report also contains the following resolutions:—

“Resolved, That in the opinion of this Committee the accounts of expenditure for salaries and contingencies of the Senate, and for their members' indemnity, should be audited by the Auditor-General; and that the House be requested to send a message to the Senate requesting their Honours to concur in and to give effect to this resolution.

“Resolved, That in the opinion of this Committee the amounts of payment made under the authority of the Joint Committees of both Houses on Printing, and on the management of the Library, should be audited by the Auditor-General; and that the House be asked to concur therein, and to send a message to the Senate requesting their Honours to concur in and to give effect thereto.

“Resolved, That the House be asked to send a message to the Senate to request that their Honours will be pleased to give leave to Robert

LeMoine, Esquire, their Clerk, to furnish details of the sum of \$44,098.74, paid for salaries and contingencies of the Senate, for the year ended 30th June, 1879, for the use of this Committee.

*Resolved*, That the House be asked to send a message to the Senate to request that their Honours will be pleased to give leave to Robert LeMoine, Esquire, their Clerk, to furnish for the use of this Committee a detailed statement of amount paid to each member of the Senate for indemnity and mileage; also the number of days each Senator has attended a sitting of that body, during the year 1879, as per item of \$83,772.48, in Public Accounts, for year ended 30th June, 1879, page 88, part ii."

I call special attention to this report as it involves a change in the mode of auditing these accounts.

SIR JOHN A. MACDONALD: I would ask the hon. gentleman to allow this to stand over for another day, in order that we may give some consideration to the resolutions which affect the Senate. I understand indirectly that that body is trying to take exception to the resolution calling their officers to come before the Public Accounts Committee and furnish the details required, and, in order to have an opportunity of looking into the precedents, I would ask my hon. friend to allow this matter to stand over.

MR. MACKENZIE: We are not calling upon their officers; we are asking the Senate to direct their officers.

SIR JOHN A. MACDONALD: I understand the objection which is likely to be taken is that, while they do not object to furnish their accounts we, by calling upon their officers to be examined and cross-examined before the Committee, do not trust to their honesty. It is no use getting up or fostering a feeling of that kind. I have no objection to concurrence being taken in the first two or three resolutions.

MR. KIRKPATRICK: I may call the right hon. gentleman's attention to the fact that these resolutions do not ask that the officers of the Senate attend before the Committee and be examined and cross-examined, but simply that their Honours will permit their Clerk to furnish for the use of the Committee the required statement.

Motion agreed to, and report concurred in.

*Resolved*—1. That the accounts of expenditure for the salaries and contingencies of the House of Commons and members' indemnity should be audited by the Auditor-General.

2. That the accounts of expenditure for salaries and contingencies of the Senate, and for their members' indemnity, should be audited by the Auditor-General; and

3. That the amounts of payment made under the authority of the Joint Committees of both Houses on Printing, and on the management of the Library, should be audited by the Auditor-General.

*Ordered*, That a Message be sent to the Senate, acquainting their Honours that this House has passed the two last mentioned Resolutions, and requesting their Honours to concur in, and to give effect thereto.

#### CANADA GUARANTEE COMPANY.

##### QUESTION.

MR. ROCHESTER enquired, In view of Bill (No. 22), to amend the Act incorporating the Canada Guarantee Company, and to limit the liability of its shareholders, whether the Government have obtained from the company a statement showing the amount of subscribed stock, the number and amount of the shares respectively, the percentage paid up, the number of policies outstanding, and the number of unsettled claims upon policies issued by the company, and the amount of such policies held by the Government as security for public officers.

SIR SAMUEL L. TILLEY: The returns have been furnished to the Government. The amount insured on the part of the Government in that company for the officials of the Civil Service is \$277,100.

#### INTERCOLONIAL RAILWAY—ELGIN STATION, L'ISLET COUNTY.

##### QUESTION.

MR. CASGRAIN enquired, Whether it is the intention of the Government to make a station, temporary or otherwise, on the Intercolonial Railway, at Elgin Station, county of L'Islet.

SIR CHARLES TUPPER: The Government have not yet determined to erect a station at the place the hon. gentleman refers to.

#### MILITIA DRILL.

##### QUESTION.

MR. CARON enquired, Whether it is the intention of the Government to allow a large number of the Active Militia to drill this year, and whether they will increase the number of days for the annual drill.

MR. MASSON: It is intended to call

out about 20,000 of the volunteer force for twelve days drill, as last year.

#### QUEEN'S BIRTHDAY REVIEW AT QUEBEC.

##### QUESTION.

MR. CARON enquired, Whether it is the intention of the Government to hold a review of all the troops that can be assembled at Quebec, to celebrate the Queen's Birthday, on the 24th May next, and allow all that can attend pay and transport, as in 1878 and 1879.

MR. MASSON: It is the intention to hold a review of the Active Militia at Quebec, on the 24th May. It is not known how many corps will attend. The allowance will be about the same as for the review at Montreal last year.

#### PRINCE EDWARD ISLAND—RAILWAY CONNECTION.

##### QUESTION.

SIR ALBERT J. SMITH enquired, Whether it is the intention of the Government to make provision during the present Session for the construction of a railway from the Intercolonial Railway to Cape Tormentine, and from Cape Traverse to connect with the railways of Prince Edward Island.

SIR CHARLES TUPPER: The Government will not be prepared this Session to submit a provision for that service.

#### CRIMINAL LAW AMENDMENT BILL.

[BILL 38.]

(Mr. McCarthy.)

##### CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

MR. MILLS: I think we have no jurisdiction in this matter. The right hon. the Minister of the Interior himself introduced a Bill relating to criminal procedure in an early Session of the first Parliament after Confederation. That Bill was carried through and became law without properly considering the question of jurisdiction. In dealing with questions of this sort, this Parliament must have respect to the provisions of the British North America Act. Sub-section 27 of section 91 of that Act provides that "the Criminal Law, except the constitution of the Courts of Criminal Juris-

dition, but including the procedure in criminal matters," shall be within the exclusive jurisdiction of the Federal Parliament. It is clear from this subsection the framers believed that unless criminal procedure was expressly exempted from Provincial jurisdiction, it would be included in the power to constitute the Courts. And sub-section 14 of section 92 provides that the Legislature of each Province shall have exclusive jurisdiction over

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

In this section the whole subject is embraced in the administration of justice excepting procedure in criminal matters. There are three things mentioned in this section of the British North America Act, namely, the constitution, maintenance, and organisation of the Courts. In the two sub-sections referred to it will be seen that the word "constitution" is used in the first instance in a more comprehensive sense than in the second. In the first instance it is used in a broad comprehensive sense—in a sense so broad as to embrace criminal procedure unless it is expressly excepted, and in the second the same sense is expressed by using the three words "constitution, maintenance and organisation," and again excepting, by implication, criminal procedure. It is perfectly clear that the word "constitution" is used in a sense to embrace the subject of jurisdiction. "Organisation" is used with reference to the manner in which the Court shall be formed, the officers to be appointed, the places where the Court shall hold its sittings, and so forth. The hon. gentleman will see that, if we can divest the Provincial Court of any portion of its jurisdiction in criminal matters, we can declare that any Court shall have only such jurisdiction as we may choose to give it, in any matter whatsoever. We have here the right of constituting Courts of original jurisdiction, by the 101st section of the British North America Act. That section provides that:

"The Parliament of Canada may, notwithstanding anything in this Act, from time to time, provide for the constitution, maintenance and organisation of a General Court of Appeal for Canada, and for the establishment of any

MR. MASSON.

additional Courts for the better administration of the laws of Canada."

The terms of this section, with regard to the powers of this Parliament to establish a general Court of Appeal for Canada, are the same as those used with regard to the Courts of the Provinces, both of civil and criminal jurisdiction. Except in regard to criminal procedure, they are as comprehensive for Courts for the trial of crime as for Courts for civil purposes. It is true that under this section we may establish Courts of original jurisdiction for the administration of the laws of Canada. But, if we have the power to do this under that section, we have no power to take away the jurisdiction of the Courts constituted by the Provincial Legislatures. The control over the jurisdiction being conferred on the Provincial Legislatures by the 14th sub-section of section 92, I think it is a well-known rule of interpreting a Statute to so interpret it as to give effect to every part of its provisions; and, after constituting the Court, you cannot take away the jurisdiction, by mere implication, with which it has been invested by another Legislature. There is another principle, equally obvious, that we cannot give jurisdiction to a Provincial Court. It is true that the question was raised upon the Act relating to controverted elections but it is also true the decision or advice of the Judicial Committee of the Privy Council shows that they considered by the provisions of that Act that an Election Court was established, and that Act did not undertake to confer jurisdiction on existing Courts, but by its provisions it constituted an Election Court under the authority given by this 101st section. The hon. gentleman proposes here to exercise the power of conferring jurisdiction on a Provincial Court, and he proposes to divest another Provincial Court of the power with which it is invested. He cannot do either of these things, except in so far as we improperly assumed to give it, and we ought not to proceed in this way. We have been going in a wrong direction, and we ought to recede from the position formerly taken, and leave to the legislators and Governments of the various Provinces the right to exercise, without this meddlesome and illegal oversight, the functions conferred upon them by the Constitution. We

cannot undertake to argue that these powers will be abused if left in their jurisdiction. We cannot undertake to say that that power will be wrongly exercised, or that a Court will be wrongly organised for the administration of justice, if left to the Local Legislatures. If the hon. gentleman thinks so, he should seek to change the Constitution, not by an unwarrantable usurpation of power, but in a constitutional way. But, so long as the Constitution remains as it is, we must presume that the Local Legislatures will constitute their Courts of the most suitable character. I do not think we ought to adopt this Bill, and I think the hon. gentleman ought not to persist in carrying the Bill through the House in its present form.

SIR JOHN A. MACDONALD: I think it is a sufficient answer to the hon. gentleman that the Criminal Act of 1869 was passed without objection in the Dominion Parliament.

MR. MILLS: It was objected to at the time.

SIR JOHN A. MACDONALD: And without any objection from any Local Legislature, and without a question being raised throughout this vast Dominion. It is not questionable now.

MR. MILLS: Oh, yes, it is.

SIR JOHN A. MACDONALD: I am not aware of it, but certainly it has never been decided upon. No person has raised the question, and no Court has decided adversely to the decision of Parliament in 1869.

MR. MILLS: That is no answer.

SIR JOHN A. MACDONALD: I think it is an answer. The 12th section of the Criminal Act of 1869 provides that

"No Court of General or Quarter Sessions or Recorder's Court, nor any Court but a Superior Court having criminal jurisdiction shall have power to try any treason, or any felony punishable with death, or any libel."

According to my hon. friend's argument, therefore, that clause is altogether *ultra vires*.

MR. MILLS: Yes.

SIR JOHN A. MACDONALD: But there are half a dozen such clauses.

MR. MILLS: Yes, yes.

SIR JOHN A. MACDONALD: All of which are *ultra vires*, and only now discovered to be so for the first time by my hon. friend.

MR. MILLS: No, no.

SIR JOHN A. MACDONALD: I think, if my hon. friend or myself were up on a criminal charge, and if we were to raise this point, we would not be acquitted if guilty otherwise. I contend that all these things are thrown upon the central or Dominion Legislature. We have a right to declare what is a felony and what is a misdemeanour, and to declare the different modes of procedure with respect to felonies and misdemeanours, and we have a right to declare whether offences shall be tried summarily by a Magistrate or by a Court of Quarter Sessions.

MR. MILLS: No.

SIR JOHN A. MACDONALD: Then all the laws for the summary punishment of an offender are illegal, according to the argument of my hon. friend. According to his argument, all that we have the power to do is to declare that one crime is a felony and another is a misdemeanour, but no power to declare how it is to be tried.

MR. MILLS: That is a different question about procedure.

SIR JOHN A. MACDONALD: The hon. gentleman contends that a person cannot be brought up and punished by a Magistrate. That is the result of his argument. All our legislation is false, all we can do is to declare what is a crime, and nothing more. It may be tried by a Court or no Court, or it may get a summary trial or a trial by one Court or another Court. We cannot be allowed to know that there is any such thing as a distinction between the Superior Courts of criminal jurisdiction and inferior Courts.

MR. MILLS: Hear, hear.

SIR JOHN A. MACDONALD: We cannot even say that treason, felony or murder shall be tried by a Court of superior jurisdiction. We have not the power to do that according to the hon. gentleman's line of argument, and, if, for instance, a Local Legislature decided that treason or murder should be tried before a Justice of the Peace, we would be obliged to submit. Perhaps he will not go so far but will allow that we can leave the law as it is, and as it has been generally and universally accepted, except by my hon. friend, through the whole of the Dominion.

MR. MILLS: No.

SIR JOHN A. MACDONALD.

SIR JOHN A. MACDONALD: The hon. gentleman has not the courage to bring in a Bill based upon his opinions; he has not the courage to introduce a Bill to repeal the 12th section of the Criminal Act of 1869, and I think, until we have made up our minds to decline jurisdiction, we shall find ourselves able to say whether it is expedient to deprive a Court of Quarter Sessions of the power to try treasons, etc., and for the same reasons to deal with all other such matters.

MR. MILLS: I do not think the right hon. gentleman has answered my argument. It is quite true that, if the Local Legislature thought proper to say that a Magistrate should try murder, and so of other crimes, it could do so. The Local Legislature may abuse its power, but that does not prove that it does not possess that power. The Local Legislature might give jurisdiction to a Magistrate to try cases of ejection, and the hon. gentleman might say that because it has not given such a jurisdiction it does not possess the power to do so. But in that way he can prove nothing. In Ontario it is not long since the Local Government submitted a Bill to the Local Legislature to consolidate the Courts of Justice there. They proposed to make but one Court, composed of certain divisions, and to declare what jurisdiction each of these different divisions are to possess. Now they have or they have not that power. They propose to say that, in a certain division of the Court, the powers of the old Court of Chancery shall be exercised by that Court, and that, where the rules of Common Law and Equity differ in civil matters, the rules of Equity shall prevail in all the divisions of this Court. Now, if they have no right to confer jurisdiction, they have no right to say that these Courts shall be consolidated into one Court composed of such divisions. The power to confer jurisdiction, both in civil and criminal matters, either belongs to us here or to the Local Legislature; if they have not both by sub-section 14 of section 92, they have neither. The right hon. gentleman should deal with the whole subject or not at all. The right hon. gentleman has not undertaken to deal even with the whole question of jurisdiction in criminal matters. In all the Provinces which have legislated since Confederation, it has been dealt with by

the Provincial Legislatures. Why did not the right hon. gentlemen deal with the whole subject? Was it not because he believed the power to give criminal jurisdiction was vested elsewhere? And did he not give it in a few instances, by confusing jurisdiction with procedure? Why has a Provincial Legislature the power to establish Courts? Is it not to meet the wants of the people in the administration of justice, and how can they do this except they can say what the jurisdiction is to be? The Local Legislature of a Province may say: Whereas it is necessary for the better administration of justice that a Court should be established, for what?—why, to do certain things set forth. Can it be supposed that the law left them to judge of the necessity of having a Court, and denied to them the power to state the necessity, but left it to another body to guess what it might be? The right hon. gentleman must go much farther, or he must go back within the limits marked by the Constitution.

Mr. McCARTHY: I think that it is unfortunate this subject has been raised. I do not remember any question of the sort mentioned being raised in any Court. My hon. friend has referred to another Act, that of the Hon. John Sandfield Macdonald, in the Lower House. Well, I do not think that we interfere with that in the Province of Ontario; they have simply and expressly constituted the Court, but they do not pretend to confer jurisdiction on that Court. They leave that matter for some other legislative body. If the hon. gentleman will look at the earlier part of the Statute, he will find how the Constitution of the Senate is spoken of. There is no attempt to confer power or a jurisdiction on the Senate. It simply states how the Senate shall be constituted. Constitution is one thing, jurisdiction is another, and power is a third.

Mr. MILLS: A Legislature has power to give powers to a Court in civil matters.

Mr. McCARTHY: I will come to that in a moment. We now come to this particular clause by which jurisdiction is conferred on the Legislative House. This is affected by the 91st clause. Let us see what it says on this subject:

“ 27. The Criminal Law, except the constitu-

tion of Courts of criminal jurisdiction, but including the procedure in criminal matters.”

I think that covers the whole ground and settles the question of the Constitution of the Courts. It says that the Constitution of the Court shall not include the procedure in criminal matters. It is to prevent the possibility of a doubt that the words referred to have been introduced. Procedure does not mean jurisdiction, and I think that under all the circumstances it would be unwise on the part of this Parliament to reject the Bill simply and solely on the grounds presented by the hon. member for Bothwell (Mr. Mills.)

Mr. BLAKE: It is quite obvious that the point under discussion would never be raised in any Court, because what is done by this clause is ostensibly to deprive the Court of jurisdiction in matters which are left to its jurisdiction. That proposition does not directly apply to the Act passed in 1869. It is carrying the argument too far to assume that there was any deliberate decision on the part of Parliament in the case of section 12 of the Act of 1869. Hon. gentlemen will remember that a large volume of laws were passed *en bloc* at that time on the recommendation of the Government. There was no discussion except on one Bill. I think that for a proper interpretation of the words “Constitution of the Court of Criminal Jurisdiction,” we have to enquire what the constitution and maintenance of the Civil Courts means in the 14th sub-section, and I think it will not be contended that the constitution of these Courts does not embrace the fixing of the extent of the jurisdiction of the Courts. Leaving out of consideration, for the moment, the question as to Courts of criminal jurisdiction, it will be found that the whole power with regard to the Civil Courts was vested in the Local Legislatures. I think, therefore, that the fair meaning of these two sub-sections is to give to the Local Legislatures the power of erecting Courts of Criminal Jurisdiction, embracing in that power the power of declaring what the jurisdiction of each or all should be. Two modes of avoiding inconvenience are given, the one special and the other general. The special mode of avoiding inconvenience, from the absence of power which would otherwise exist on the part of Canada to



enforce her laws, is the power to create additional Courts necessary for effecting the execution of the laws of Canada. Of course it is not pretended that this is an exercise of that power. Then the other mode is that which I think we may fairly refer to as capable of avoiding some of those evils, one of which the hon. the Minister of the Interior has referred to, namely, the power of disallowance. If there be any one reason when it might be safely adopted, it would be an abuse of power by the Local Legislature, such as he has suggested, namely, the giving over to Justices of the Peace the power to try the highest offences, when there were other properly ordained Courts of criminal justice for that purpose. The power of disallowance may not be unfairly exercised in cases in which the Local Legislature, having created adequate Courts, should proceed to interfere with the due execution of criminal justice and the administration of the laws so as to give power to a wholly inappropriate Court to try cases it was not competent to try. So that, if we are to assume that the Local Legislature might be guilty of such an impropriety or mistake as that, there is yet a power of correction. Upon the whole, I think that, in so far as this Bill proposes to remove from the County Court Judges the power which, by the Act to which, I have referred, was vested in them, no one can object; because in so far as it is a repeal of the Act which gave them those powers, and those who hold there is a difficulty about the jurisdiction can not object to the repeal. I do not precisely understand the words in the Bill: "Any offence charging an attempt to murder." The phrase does not seem to be a good one.

MR. McCARTHY: I just follow the words of the English Act.

SIR ALBERT J. SMITH: I think some of the Local Legislatures have assumed the right to deal with this subject, and to constitute Courts and constitute the powers of those Courts. New Brunswick has legislated with reference to County Courts, and conferred upon them criminal jurisdiction. It seems to me the Provinces have this power, and not this Parliament, to define and fix the jurisdiction of those Courts. We legislate with regard to Criminal Law; but those

Courts have charge of the administration of justice as much in respect of criminal proceedings as of civil matters. I find, with regard to the Courts of Oyer and Terminer that they have exercised the same power in New Brunswick—that it has been conferred on the County Courts. The same power, I apprehend, is exercised by the Legislatures of the other Provinces.

MR. COURSOL: It seems to me quite clear, and I have never heard any opinion to the contrary expressed in our Courts, that the criminal procedure is entirely left to the jurisdiction of the Federal Parliament. The clause in the Confederation Act, cited a few moments ago, by omitting the words "criminal matters," can leave no doubt whatever about the intention of its framers, namely, to withhold such authority from the Local Parliament and to vest it in the Federal power. There can be no doubt, therefore, that the jurisdiction being vested in the Federal Parliament, this House has the right and full authority to classify the offences, and to designate the Criminal Court before which the different crimes may be tried. In the present instance, the object is to vest in the Superior Court the jurisdiction over certain offences which may now be tried at the Court of Quarter Sessions. The Bill does not even create a new offence, but merely changes the jurisdiction from one Court to another.

MR. McCARTHY: I wish to propose a verbal alteration—to substitute the words, "the County Judge's Criminal Court" for the words now standing in the sub-section; and also to leave out the words in the 15th line, "offences charged and," so that the words shall run thus: "Only the County Judge's Criminal Court shall have power to try," etc.

Bill, as amended, *ordered* to be reported.

House resumed.

(In the House.)

Bill, as amended, *reported*.

COMMON ASSAULTS DEFENDANTS WITNESSES ACT AMENDMENT BILL.

[Bill 41.]

(Mr. McCarthy.)

CONSIDERED IN COMMITTEE.

Order for House to resolve itself into Committee of the Whole to consider the said Bill read.

MR. BLAKE.

MR. KIRKPATRICK: I think it is very desirable that there should be added to the Bill a clause giving power, in cases of a *quasi* criminal nature, and in cases of the trial of civil rights, to have the parties called as witnesses. The Bill was passed in this House a year or two ago and was rejected by the Senate. It was at the close of the Session, and, with all due respect, perhaps they did not quite apprehend the scope of the measure. A similar measure has been passed in England, and it is a very reasonable proposition. In England, in Ontario, and, I think, in the other Provinces, there is a law that parties in civil cases shall be competent witnesses; yet, if the case is brought to test, the right to shut up a road or a bridge, where a man's property may come into question, if it is brought in a Criminal Court, under an indictment, parties at present are shut out from giving evidence in their own behalf.

House resolved itself into Committee.

(In the Committee.)

On Section 1.

MR. McCARTHY: The Committee will understand that it is simply intended to strike out the proviso in the clause now in the Statute, which seems to me to be illogical and inconsistent with the whole purport of the Act. The proviso is that, in the event of a Judge, at the conclusion of a trial, thinking that there is not evidence of a common assault, the defendant may be called to give evidence, but this proviso shall not apply to a case where the trial is by jury. I propose to add another clause, making it read "assault and battery," instead of "common assault," as it stands now. There is hardly ever a charge of common assault; the offence is generally characterised as "assault and battery." I have one or two letters drawing attention to this defect in the law. One case was of great hardship—the defendant was charged with kissing a young woman, and it was said that that was something more than a common assault, it was an every day assault, and the defendant was not allowed to explain that it was not a battery.

SIR JOHN A. MACDONALD: An electric battery.

MR. BLAKE: If I remember aright, when the measure came back from the

Select Committee, the suggestion was that, in cases in which the Judge was trying a case without a jury, if he determined at a particular stage that the case was no more than one of common assault, being able to determine the question of fact as well of law, he could then admit the evidence of the other party. But the Committee appeared to be then of the opinion that there would be difficulty in carrying that out where the case was to go to a jury, unless the Judge was in a position to treat the case as if there were two different counts, one for the aggravated and one for the smaller offence, and to direct a verdict for the defendant on the former, and thus leave to the jury only the latter. The case of common assault was that alone to which it was intended by the Committee the provision should apply, and the question is how that difficulty is to be met, because I believe the law is such that a man can be found guilty of the minor upon an indictment for the major offence, so that there is no power to direct a verdict for the defendant on the major, and then have a separate trial, as it were, for the minor offence.

MR. McCARTHY: No doubt the hon. gentleman is quite right—technically speaking, that is to say. But I do not think such a case ever occurred of a jury finding a party guilty of a major offence after the Judge told them there was no evidence. In practice, I do not think such a case was ever heard of. The result is this: the Bill is sent to a grand jury, including something more than a simple common assault, and the line is very narrow. I dare say one grand jury out of ten does not see the defendant, yet, if the party's mouth is to be closed, great injustice is done him. There is no pretence of anything but a common assault. The Judge is clear on that point, and the Crown officer submits to it, yet the party cannot give evidence.

MR. GUTHRIE: Technically, there may be something in the objection referred to by the hon. member for West Durham (Mr. Blake), but in practice I do not think a jury would convict a man of a graver offence if the Judge charged that the evidence supported nothing but common assault. It was suggested at the time the Bill was under consideration that the defendant might himself by his own evidence make out a greater offence than common

assault, and that the Judge, having heard his evidence, might leave the whole case to the jury, and the jury might convict the man. That, I think, was the course of reasoning in the Committee which led to the insertion of the proviso, contrary to my opinion. I am in favour of the amendment proposed by the Bill of the hon. member for North Simcoe (Mr. McCarthy).

Section agreed to.

On Section 2,

MR. MCCARTHY moved to insert the words "assault and battery."

MR. IVES: Practically I do not think there is much danger of a jury, in spite of the Judge's charge, returning a verdict for the greater offence. We often know of juries who do not find the greater offence where the Judge charges it, but I have never known a case where they have been more severe upon a prisoner than the Judge has been in his charge. But, if such were the case, if the man was examined and the jury, seeing him and hearing his story, find him guilty of the greater offence, I can see no objection, for there must be something about him to warrant such a verdict.

Section, as amended, agreed to.

Bill, as amended, ordered to be reported.

House resumed.

(In the House.)

Bill, as amended, reported.

STOCK BROKERS REGULATION BILL—  
[BILL 42.]

(Mr. Girouard, Jacques Cartier.)

SECOND READING.

Order for second reading read.

MR. GIROUARD (Jacques Cartier): This Bill is about the same as the one I had the honour of introducing last Session; that Bill reached its second reading, and was referred to the Committee on Banking and Commerce, and, considering its importance, it was decided there to defer its further consideration until the present Session. In obedience to the order of the Committee last year, I now present this Bill to the House. It is well known that there are two Stock Exchanges in operation to-day in this

Dominion. There is one in Montreal called the Montreal Stock Exchange. It was incorporated in 1874, under an Act of the Quebec Legislature. Another was incorporated about the same time, known as the Montreal Open Stock Exchange, but it ceased to be in operation some years ago, owing to a resolution of the Board of the first Exchange ordering the expulsion of any member who had any dealing with this Open Stock Exchange. There is also another Exchange in the city of Toronto, known as the Toronto Stock Exchange. These two Exchanges deal especially in Canadian stocks, rarely have they any transactions in foreign or Dominion securities, but generally in bank and other like stocks, such as those of the Montreal and the Dominion Telegraph Companies' stocks. It might reasonably be supposed that, when a broker is entrusted with the sale of shares he should act simply as an agent, that he should have no interest at all in the transaction beyond his commission and the interest of his client. It is well known, however, that in many cases the stock-broker buys for himself stock which he has instructions to sell for another party. It is well known that stock-brokers deal and speculate in stocks for their own profit. One of the Toronto brokers admitted last year, before the Committee on Banking and Commerce, that, when they had no transactions from outsiders, they operated themselves to keep up the market. It is also known that the operations of these brokers are secret. Their doors are closed, and no ordinary mortal has any access to their proceedings. The result of these speculations and combinations among brokers has been great depression in hard times and great inflation in times of prosperity. The following figures will show that beyond a doubt. I find in 1872, a time of great inflation, the following quotations, which speak for themselves:—

	Brokers' value.	Directors' value.
Bank of Montreal.....	271	150
Bank of Toronto.....	192	140
Merchants' Bank.....	133	118

The following figures, which give the standing of leading stocks in March, 1879, are also remarkable:—

MR. GUTHRIE.

Valuation according to last report of Directors.	Stock Exchange quotation.
Bank of Toronto, about.. 150	117
Consolidated Bank, about 107	46
Ontario Bank, about.... 104	63
Molson's Bank, about.... 120	76
People's Bank, about.... 108	50
Union Bank, about..... 101	53
Exchange Bank, about... 105	55
Merchants' Bank, about.. 109	79

I propose by this Bill to put an end to the operations of brokers as far as they are personally interested. In England, under the new regulations, they have what are called stock-brokers and stock-jobbers. The stock-broker is merely an agent while the stock-jobber has the privilege of speculating for his own profit. By the first clause of this Bill it is enacted that brokers shall be licensed by the Board of Trade. By the 2nd clause it is provided that stock-brokers shall disclose the names of their principals except in the case of bank shares, which are regulated by a special Statute passed last Session. This enactment is necessary, because a broker, being commissioned to sell a certain number of shares, reports he has disposed of the shares without giving the name of the purchaser. In some cases the purchaser is the broker himself, and, under this provision, these transactions will become impossible, at least it will be checked to a great extent. The 3rd clause provides that brokers shall not be interested in the operations of the Board :

“No stock-broker shall be personally interested in any such contract, either as seller or purchaser, directly or indirectly; nor shall directly or indirectly operate, deal or speculate for his own account or profit on any stock exchange or elsewhere in such stocks or securities, either in his own name or by and through the agency of an intermediate party.”

By the 4th clause I have endeavoured to put down short sales, or sales for future delivery. The Banking Act of last Session has special enactments about short sales of bank stock, but it is perhaps not known that the Montreal Stock Exchange recently passed a resolution not to comply with the law, declaring in fact that in the case of a sale of bank shares for future delivery the seller shall not be obliged to give the number of shares. Short sales on the Corn Exchange need not to be so regulated. The intrinsic value of wheat, corn and grain generally is known to the world.

Parties interested in that article do not depend on the quotations of the Montreal Corn Exchange. They have the reports of the Liverpool, Chicago and other markets. But, in the case of Canadian joint stock, or bank stock, there are no quotations outside of Canada, and the shareholders, seeing the quotations of the Stock Exchange in the daily papers, are sometimes alarmed and misguided, and they may thereby be induced to sacrifice their property. This is an important reason why clause 4 should be adopted. It reads as follows :—

“All agreements for the future sale or delivery of shares, stocks or securities, of which the seller is not actually possessed in his own right, at the time of making such agreement, shall be absolutely null and void as to all parties and to all intents and purposes.”

Section 5 says :

“No broker shall receive double brokerage or commission—that is to say from both seller and buyer—but from the seller or buyer employing him only, and in no case shall he demand or receive for his services any larger sum of money than the amount of the usual brokerage or commission.”

The 6th section provides that :

“Every contravention of any of the provisions of this Act shall subject the offender to a penalty of not less than \$100 and not more than \$1,000 for every such contravention or offence, payable one-half to Her Majesty and the other half to the private prosecutor, which said penalty or penalties shall be recoverable by suit in any Court having jurisdiction to the amount of such penalty, and by distress of the goods and chattels of the defendant, and, in case of their insufficiency, the offender may be imprisoned for a term not exceeding one year, as the Court may order, unless the penalty and costs be sooner paid.”

And in certain cases, where the broker shall make short sales, or exact more than the commission from his principal, it provides that he shall be subject to the forfeiture of his license. The 7th section is an important one. The Montreal Stock Exchange, some months ago, a short time after the Banking Act was passed, consented to admit the public to their rooms, not for the purpose of transacting business, but with a view of enabling them to see what was going on. The section will make this inclination of the stock exchange imperative. It says :

“Every stock exchange shall be open, and suitable accommodation for the public shall be provided in every stock board-room, or place

where brokers meet to transact their business ; and any person who shall aid or abet in excluding the public, or any individual whomsoever, from any such exchange, stock board-room or place, without just cause, shall be guilty of a contravention of this Act."

Section 8 has been introduced to meet an objection that was made in England when similar provisions were in existence. In the time of Lord Kenyon, some 200 *quitam* suits were instituted with a view of fining some stockholders who had acted in contravention of the provisions of the then existing Statute (7 Geo. II, cap. 8), but they all failed, because the operations of the brokers were held to be "privileged." It is proposed to meet this difficulty by section 8 :

"No person shall be excused from answering any question put to him in any suit brought under this Act, on the ground of any privilege, or that the answer to such a question will tend to criminate him, but no such answer shall be used in any criminal proceeding against any such person, other than an indictment for perjury."

The general character of this Bill is not new ; similar provisions were in force in Great Britain for 125 years, and they are to be found in all countries where stock exchanges or "bourses" are in operation—Paris, Amsterdam, Frankfurt-on-the-Main, Berlin, Vienna, St. Petersburg, etc. It can easily be imagined that in England stock-brokers grew with the Bank of England, which was established in 1694. The first English Stock Exchange seems to have been open in 1773. But as early as 1700, when brokers used to do their business on the street, we are told by Fenn that "a strong feeling was aroused against stock-jobbing, which was denounced as a public nuisance." It was about that time that Sir William Temple thus defined the stock-broker—a definition which has been preserved by Webster—and which is unfortunately too true in many instances in our days : "Stock-brokers, who having no stock of their own, set up and trade with that of other people, buying here and selling there, and commonly cheating both sides, to make a little paltry gain." In 1734, an Act (7 Geo. II, Cap. 8) was passed to put an end to what was then publicly called "the infamous practice of stock-jobbing." The first clause enacts that :

"All wagers and contracts in the nature of wagers, and all contracts in the nature of puts

and refusals, relating to the then present or future price or value of any such stock or securities, as aforesaid, shall be null and void to all intents and purposes."

Clause 4 decrees a penalty of £500 on making or executing "any such puts or bargains." Another penalty of £100 is imposed upon any person "giving or receiving money to compound differences relating to stock not actually delivered." A penalty of £500 is also inflicted upon any broker or person "buying or selling stocks of which they are not actually possessed at the time of the contract." Clause 9 provides for the keeping of a brokers' book or register, under a penalty of £50. This Statute was enacted for three years only ; but its provisions were found so wise and necessary that they were made permanent by a subsequent Act (10 Geo. II, Cap. 8) and remained in the Statute-book of Great Britain until the year 1860, when they were repealed as being "unnecessary restrictions" (23 Vic., Cap. 28). Yet the London Stock Exchange remained subject to special regulations, which were promulgated in 1818, and which will be found in Russell on Factors and Brokers, page 213. These regulations were of a municipal character, the London Stock Exchange being dependent on the municipal authority of the corporation of that city. They were about the same as those contained in the Statute of 1734, and further provided for the licensing of brokers under certain conditions, and, among others, the giving of a bond, taking of an oath and the promise "directly or indirectly, by himself or any other, not to deal for himself or any other broker in the exchange or remittance of money, or in buying any tally or tallies, order or orders, bill or bills, share or shares, or interest in any joint stock to be transferred or assigned to himself or any other broker, or to any other interest for him or them." These municipal regulations or by-laws of the corporation of London were repealed in 1870, by an Act passed in that year by the British Parliament, and intitled "The London Brokers' Relief Act, 1870" (33 and 34 Vic., cap. 60). The stock-brokers did not, however, remain without some State discipline. A Statute passed in 1845, (8 and 9 Vic., cap. 109,) and still in force, declared that "all contracts or agreements

by way of gaming or wagering shall be null and void." Under this Statute, the Courts in England have maintained that "time" bargains, made with no intention to purchase or deliver shares, are null—(Fisher's Digest, Gaming, p. 4179.) The Imperial Statute of 1845 is not in force in most of our Provinces, and the consequence has been that a different rule prevails with us (Baldwin vs. Binmore, L. C. Jur. 297; 4 Moore Indian Appeals, 339). The Criminal Law of England, which is also found reproduced in our Criminal Act of 1869, has also made it an offence for a trustee to sell to himself. However, England soon found out that these short and lenient limitations were quite inadequate. Gambling on the Stock Exchange became more alarming, and in 1867 Parliament thought it expedient to interfere and "make provision for the prevention of contracts for the sale and purchase of shares and stock in joint-stock banking companies, of which the sellers are not possessed, or over which they have no control," and ordered "that such contracts shall be void, unless the members by which such shares are distinguished are set forth in such contracts."—(30 Vic., cap. 29.) The provisions of this Statute, as far as bank shares are concerned, were introduced into Canada by the Banking Amendment Act, passed last Session. But, of course, in London, as in Montreal, means were found of evading the law. Stock-gambling is practiced more than ever. Doubts were even expressed whether the Criminal Law reached the operations of these trustees or agents. In 1877, Sir George Campbell, from his seat in the Commons, asked the Secretary of State for the Home Department "whether, with reference to the serious division of opinion among the Judges on the question whether Stock Exchange practices, which all consider to be dishonest and immoral in the highest degree, are punishable by the existing Criminal Law, and also to the opinion of the Attorney-General, that it is no part of his duty to initiate criminal proceedings against the promoters of companies, the Government are still considering the expediency of strengthening the law dealing with financial and commercial frauds, and of appointing a public prosecutor, who may deal with the delinquencies

of the rich as effectually as the police deal with those of the poor?" To this query, Mr. Assheton Cross replied, "that the hon. member must be aware that a Commission had been very lately appointed to enquire into the whole subject. He was bound to say that, under the circumstances, it would be wise to wait for their report before any such steps as those suggested were taken." Although this report has been made, denouncing, in the strongest language possible, the practices of Stock Exchanges, no action, at least as far as my knowledge goes, has been taken by the British Government. In the meantime, public opinion is more and more growing against the evils complained of. In an able article written in *Fraser's Magazine* for April, 1879, the great commercial crisis from which Great Britain has been suffering is attributed partly and firstly "to the gambling spirit of the English people, fostered by laws which encourage that vice in high places. It is but the naked truth," continues the writer (Mr. E. A. Ryder) "to say that the Stock Exchange is a legalised and enormous hell. Statistics cannot be given, but it may not be unfairly affirmed that of the transactions in the Stock Exchange nine-tenths are illegitimate, that is, do not result in the transfer of sureties from seller to buyer. 'Contango,' 'differences,' and the other terms in use, clearly indicate that the business is as purely gambling as to stake at *rouge et noir*." The *Times* of the 18th April, 1879, under the heading of "Monte Carlo," has the following remarkable observations:—

"The real strength of Monte Carlo consists in the weak points of European morality. The Prince of Monaco has only to point to the Stock Exchange of every European capital, where, every year, there is twenty times as much real gambling, under the name of speculation, as there is at Monte Carlo. For one simpleton who has lost a few hundreds at *Trente et Quarante* and disappears from society, he could point to the thousands that risk all and more than they have in time bargains, and ruin not only themselves, but their creditors, and, worse than that, the relatives upon whose natural affection they work to make good their losses. Enormous as the scandal of Monte Carlo is, it can bear no comparison with the shrines of Fortune thinly disguised with a commercial character. The ruined gambler of the Casino throws himself into the Mediterranean, or publicly executes himself at the tables, or otherwise acknowledges the criminal character of his

position. The English, French, or German speculators for the advance or fall have no more real grounds for their presumption than the man who plays *Roulette* on a 'system;' but they are not ashamed of themselves when they lose all. They throw themselves, not into the sea, but on their creditors or their friends. There is no hypocrisy about Monte Carlo. It does not hide its shame or cloak it with fair pretences. It is gambling, nothing more or less, with the usual accessories of ill-got wealth. That there is a controversy at all, and that preachers dare to be open-mouthed about it and to denounce it with no uncertain sound, is so much in its favour. They are not so courageous or so plain-spoken about the far more potent and extensive mischiefs that we have lately seen wrought at home by respectable and religious men."

Mr. Arthur Crump, a distinguished writer on finance, and the editor of the monetary column in the *London Times*, has been asking himself this very pertinent question in his recent work entitled, "A New Departure in Political Economy." To use the language of the *Montreal Gazette*, of the 24th March, 1879, in quoting him with evident pleasure, Mr. Crump predicts the approaching disappearance of brokers as a class and the conversion of their present mischievous activity into labour useful to the community. "Reflecting," continues the *Gazette*, "upon the enormous development of this activity in Montreal, no member of this broker-infested community can fail to utter a sigh of relief at the prospect, however dim, of so happy an ending in the future to the troubles of the present." But, to come to Mr. Crump, he describes some classes of society who are useless to the commercial system, and in this connection he says:

"All kinds of brokers come under the same category. They consume more and produce less than any other section of the working community. What they save counts for very little, because it is no real saving. What they save is simply filched from the hard earnings of others, a portion of which they should have saved themselves. It is proverbial that money easily gained is rapidly spent. There is no class in the community which really does so little for the benefit of their fellow-creatures in the way of honest hard work as the broker middlemen class, and none which is so pretentiously ostentatious of their means. Consumers of luxuries in an undue proportion, who are not at the same time good workers, are a direct loss to society. We are of opinion, therefore, that no class can be so well dispensed with, and is being so economically and efficiently replaced, as the body of middlemen, and that their removal to a sphere in which a good day's work will be got out of them is a permanent, direct and indirect, gain to consumers as a body."

MR. GIROUARD.

I am not so hopeful as Mr. Crump, or the editor of the *Montreal Gazette*; but I believe that prohibitory measures would tend to check the operations of these aristocratic gamblers. The restrictions I am endeavouring to introduce are those which had the sanction of ages not only in Great Britain, as we have seen, but also all over Europe, in France, Germany, Russia, in fact every place where a Stock Exchange exists or has existed. In France, for instance, the stock-brokers are licensed by the State; in Holland they are nominated by the municipalities of the locality; in Germany they are appointed, in some places by the Boards of Trade, and in some other places by the Magistrates; everywhere a control is kept over them by the State or the citizens. In every country the broker is also bound to keep a register of his operations, and to give a true and correct copy of his entries to his principal. He is likewise prohibited from dealing for his own profit on any Exchange, and as far back as 1673 we find in the celebrated Ordinance of Louis XIV of that year, an express prohibition to be engaged in any trade or commercial business whatever. Brokers are also bound to disclose the names of their principals. Generally, Stock Exchanges are open to the public, and I believe the same rule prevails in the New York Stock Exchange. (See de Saint Joseph, *Concordance des Codes*, page 18, and following; *Rothschild, Dictionnaire d'Economie*, page 226). My Bill does not go beyond these regulations, and I hope it will receive the favourable consideration of this House. Its subject is of the greatest importance, and I hope will be considered with impartiality and fairness, free from outside pressure or influence, without prejudice, and especially without sympathy for the class of men it deals with, who generally, as everyone knows, are highly respectable, personally, and very pleasant members of our society.

MR. MACKENZIE: I presume it is intended to send this to the Committee on Banking and Commerce?

MR. GIROUARD: Yes.

MR. MACKENZIE: I do not choose at the moment to oppose the Bill as I am quite willing to have it discussed. One of the provisions of the Bill is that no one shall act as a stock-broker "in any manner whatever," and

that if he should do so he will be subject to a fine of \$1,000 and imprisonment not exceeding one year, if he fails to pay the fine. Now that clause, and some other clauses of the Bill will, in my opinion, be impracticable. Anyone in business might often act as a stock-broker. He might be an agent for the exchange of securities, even if his business is not that of a stock-broker. and I do not think this House can control such liberties. If anyone thinks fit to carry on stock-broking, I think he might do so without our license or authority, and I am of opinion that in law any restriction of this liberty is wholly inconsistent with that freedom which we enjoy in this country. The Local Legislatures in Ontario and Quebec have authorised the establishing of Stock Brokers' Associations. Now, what right have we to say that they shall not act in that capacity. We are endeavouring to impose disabilities on people over whom we have no control whatever. The 8th section of this Bill provides that no one shall be excused from answering any question put to him, but that no such answer shall be used to criminate him in a prosecution other than in an indictment for perjury. Now, a question may be put, and a person be compelled to answer, even if the answer would tend to criminate him in an indictment for perjury. This is a monstrous clause to put in a Bill, and one which should not be entertained, no matter under what pretence. I have, however, no objection to some of the provisions of the measure, if we can enact them. I think something in the way of legislation should be done in regard to stock-broking, so far as we can control it. I admit some of the evils of stock-broking as sometimes carried on, and any measure we can adopt that will put an end to these evils I shall be willing to consider. But this Bill is wholly inconsistent with the powers under which we legislate, and entirely inconsistent with that personal liberty which is above all Constitutions.

MR. GIROUARD: I wish to say one or two words in answer to the hon. gentleman's remarks. First, as to the question that we have no jurisdiction to regulate Stock Exchanges. It has been alleged that they have been authorised to carry on business in the Provinces of Quebec and Ontario. They have no such

power under their charters. The only power they have is to hold real estate, and, in fact, no Local Legislature has any jurisdiction to authorise stock-broking. This Dominion Parliament has exclusive jurisdiction in matters of commerce and banking, and, even if the Local Legislatures had conferred the alleged privilege, the Statutes conferring it would be *ultra vires*. It is said that this Bill or some of its provisions are in restraint of trade, an infringement of the liberty of the subject. Now, it is not the first time that this Parliament has introduced Bills restraining trade and the liberty of the subject. Have we not laws punishing common gambling, frauds and crimes generally, which are all restrictions on the liberties of the subject? To be short, all prohibitory laws are restrictions upon the liberty of the subject, as the hon. gentleman calls it. If it is right to prevent by legislation common gambling at a horse race or in a public house, it should be likewise lawful, just and wise to suppress gambling in bank stocks and high spheres of life and business. The next point was with regard to the preventing of a witness from making certain disclosures. That is said to be extraordinary, but it has not been found too extraordinary to have been already placed in our Election Law, under the very auspices of the hon. gentleman, when leader of the Government of this country. I do not think that this Bill is too strict. I believe that something should be done in the direction of the Bill; I am willing to concede that it may not be perfect in its details, but when the Bill will be in Committee, any reasonable suggestion that may be made will be accepted with pleasure.

Bill read the second time.

TIMBER TRANSMISSION COMPANIES  
ACT AMENDMENT BILL.—[BILL 48.]

(Mr. White, North Renfrew.)

SECOND AND THIRD READINGS.

Bill read the second time, considered in Committee of the Whole, reported, read the third time and passed.

MARITIME JURISDICTION ACT AMENDMENT ACT AMENDMENT BILL.

[BILL 52.]

(Mr. Shaw.)

SECOND READING PROPOSED.

Order for second reading read.

MR. McLENNAN: It will be observed



that this is a Bill to repeal the second section of an Act which in itself repealed some of the provisions of an important Bill—the Maritime Jurisdiction Act of 1877.

When the Bill was passed providing for the establishment of that Court, I had not the honour of being in this House, but I quite believed that the Court was not necessary, and I think it was stated in Parliament then that the Court could only provide remedies that could already be provided in the then existing Courts. I think, with the feeling we have to-day, we do not want two Courts where one can serve the purpose. In this particular case I think it has been found that the Court is simply an obstruction to the business of transportation. The clause proposed to be repealed reads thus:—

“No right or remedy *in rem* given by the said Act in respect of claims for tonnage or claims for damage 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.”

This does not prevent a suitor from obtaining his remedy in either of those cases; it simply provides that a security shall be held just as it was held previously to 1878. It was to be a registered security, and not to be interfered with in the Maritime Courts. This matter was argued at length last year, and I need not go over the same ground, but I may state that in my opinion the proposed repeal will give no advantage to any parties who ought to be protected in their claims against the vessel. There is a class of people in all seaports who take a great interest in the navigator, who are very much interested in sailors' earnings. Their office is generally to supply his wants, but more particularly to supply his drink, and their interests are generally in conflict with the business of public carrying. Those are the persons who have the greatest interest in the existence of the Maritime Courts. I regret the failure of the motion last year to repeal the entire Act; but, having obtained a repeal of two of its clauses, I think we should now be travelling backwards unwisely to restore them. I deprecate anything like violence even to so small a work of man as this little Bill, and would prefer if my hon. friend from South Bruce (Mr. Shaw) would withdraw it;

MR. McLENNAN.

otherwise I shall move that it be not now read a second time, but that it be read a second time six months from to-day.

MR. McCALLUM: The hon. gentleman says the present Bill is not necessary to protect sailors in their rights. I do not agree with him. If the clause in the existing case is not repealed, sailors would have to send to the port of registry to ascertain if there was a mortgage against the vessel in order to know whether they could collect their wages. Before the enactment of the law, I have known American vessels change owners in order to get rid of their indebtedness to Canadians, and I think the repeal of the clause would be a great benefit to our people. The thanks of the country are due to the late Government for their action in this matter. Our vessels are principally engaged on international waters. As I understand the law, if a Canadian vessel damages an American one, the owners of the latter can come into our Courts and collect the full amount of the damages if the Canadian vessel and her owner are worth the amount; but if an American ship damages a Canadian one no greater amount can be recovered in an American Court than the value of the vessel, although she may have done damages to ten times her worth, and her owners may be good for it. No honest man should have any objection to this Act, which is necessary to protect the interest of the sailors. I move the adjournment of the debate.

Motion agreed to, and Debate adjourned.

House adjourned at  
Six o'clock.

## HOUSE OF COMMONS.

Friday, 12th March, 1880.

The Speaker took the Chair at Three o'clock.

### PRAYERS.

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

Bill (No. 73) To amend an Act respecting the Port Whitby Harbour Company.—(Mr. Kirkpatrick.)

Bill (No. 74) To incorporate the North-West Colonisation Land Company.—(Mr. Schultz.)

Bill (No. 75) To regulate the floating of cord-

wood upon the River St. François du Lac —  
(*Mr. Vanasse.*)

NORTHERN RAILWAY COMPANY'S  
ACT.

BILL PROPOSED.

MR. McCARTHY moved for leave to introduce a Bill in relation to the true construction of section 12 of the Northern Railway Company's Act, 1877, and to remove doubts thereon.

MR. MACKENZIE I would like to know whether this is in amendment of a Private Act.

MR. McCARTHY: It is reported.

MR. MACKENZIE: It may be reported, but that is nothing. Is this Bill introduced at the request of the Northern Railway Company itself?

MR. McCARTHY: A petition has been presented by the stock-holders of the Company.

MR. MACKENZIE: It is an extraordinary thing for a member of this House to introduce a Bill to interfere with the Act of a private company. If they want to remove doubts they should petition for it. It should not be done on behalf of a few individuals. If this mode of legislation is to be carried on, no company can be safe. It is the only time I ever knew of legislation for a company's interest in defiance of its own will; and I hope no such proceeding will be countenanced by the Government.

MR. McCARTHY: I must certainly say that I am surprised at the hon. gentleman's objection. Certain of the stock-holders complain of injustice; and surely they have a right to petition Parliament for redress. They present their petition in the usual way, and, because the whole Company do not concur, these stock-holders must be shut out. The Act passed in 1877, which purported to define the rights of stock-holders, does not do so; it does not give the advantages it was intended to give. They want the section in question to declare what it was intended it should declare, to provide for their representation on the Board; but, because the whole Company do not concur, they have, according to the hon. gentleman, no right to come here for redress.

MR. MACKENZIE: I did not say the whole Company. A majority of the Board may petition for it; but, where a company, as a company, want no Bill, and

petition for no Bill, it is very irregular for an independent member to put forward a Bill to amend its charter. If the hon. gentleman will find one instance where such a thing has been done before, I will withdraw my opposition.

MR. McCARTHY: It appears to me it has been done many a time. I do not know of any other way in which it can be done. It comes then to this: that, unless the directors come and petition for the alteration, the minority—those who may be oppressed by the majority—cannot come for redress. I cannot understand how that view can be maintained.

MR. MACKENZIE: I would like to have the view of the Government on the subject.

SIR JOHN A. MACDONALD: I think it is a matter for the House.

MR. McCARTHY moved that the rule in reference to the notice required for the introduction of Private Bills be suspended.

MR. MACKENZIE: I would like to see the Bill.

MR. McCARTHY: It is not printed yet. I believe it is not an unusual thing to hand in a Bill which has not been printed.

MR. MACKENZIE: It is improper.

MR. McCARTHY: I have sent for the Bill. It is a very short one, and I have no doubt it is in type by this time. If the House pleases, I will speak at length on this subject. In 1877, an Act was passed in regard to the Northern Railway Company, an Act brought in at the time when the hon. gentleman controlled the House. The hon. gentleman has an antipathy to the stockholders of this road—

MR. MACKENZIE: I rise to a question of order; there is nothing before the House.

MR. SPEAKER: There is a motion before the House.

MR. MACKENZIE: The Bill is part of the motion.

SIR JOHN A. MACDONALD: If the Bill is part of the motion, then the Bill, being part of the motion, is before the House.

MR. SPEAKER: No doubt there is a motion before the Chair. It is for the introduction of a Private Bill, but the rule is very strict, that no Private Bill can be introduced unless it is printed.

As there is no copy of the Bill referred to in my hands, I must rule the motion out of order.

#### EXPENSES OF THE SENATE.

*Resolved*, That a Message be sent to the Senate to request that their Honours will be pleased to give leave to Robert LeMoine, Esquire, their Clerk, to furnish details of the sum of \$44,098.74, paid for salaries and contingencies of the Senate, for the year ended 30th June, 1879, for the use of the Select Standing Committee of this House on Public Accounts.—(*Mr. Kirkpatrick.*)

*Resolved*, That a Message be sent to the Senate to request that their Honours will be pleased to give leave to Robert LeMoine, Esquire, their Clerk, to furnish for the use of the Select Standing Committee of this House on Public Accounts, a detailed statement of amount paid to each member of the Senate for indemnity and mileage; also the number of days each Senator has attended a sitting of that body, during the year 1879, as per item of \$83,772.48 in Public Accounts, for year ended 30th June, 1879 page 88, part ii.—(*Mr. Kirkpatrick.*)

#### MARRIAGE WITH A DECEASED WIFE'S SISTER.

##### MOTION TO PRINT A PETITION.

MR. JONES moved :

That the petition of His Lordship the Bishop of Ontario, presented this day, praying that the Bill now before Parliament to legalise marriage with the sister of a deceased wife, may not become law at present, but that the various religious bodies of the Dominion may be allowed an opportunity of expressing their convictions regarding it, be read and received, and printed in the Votes and Proceedings.

MR. MACKENZIE: I think some reason should be given before we print such a petition in the Votes and Proceedings. If all petitions presented to this House against Bills of this kind are to be printed, it will cause a considerable addition to the printing bill. It does not seem to me that the petition of any individual, no matter how exalted his position, should be printed, simply because it came from that quarter. If the hon. gentleman wants the petition printed, I would much rather it should be printed for distribution among the members.

SIR JOHN A. MACDONALD: I agree with the hon. member (Mr. Mackenzie) that the petition should not be printed in the Votes and Proceedings, and that it would be better to print it for distribution among the members.

MR. SPEAKER.

MR. JONES: I have no objection to the amendment suggested. I do not think an important Bill of this nature should be pushed hurriedly through the House. Petitions will be presented against it from Prince Edward Island and British Columbia. I think that sufficient time should be given for the presentation of those petitions.

Motion, as amended, *agreed to*.

*Ordered*, That the said petition be printed for the use of members.—(*Mr. Jones.*)

#### PRIVATE BILLS PETITIONS.

##### MOTION TO EXTEND TIME NEGATIVED.

MR. ROBINSON, in moving that the time for receiving petitions for Private Bills be extended for four days, as recommended by the Select Standing Committee on Standing Orders, said: I make this motion at the unanimous request of the Committee, whose decision was arrived at owing to statements made by hon. gentleman that certain Bills in which they are interested were delayed in transmission from Manitoba on account of the violent storms. There has been no communication by mail, for a month, and they have heard that this petition would be received in the course of a day or two; and the Committee thought it unjust, after this statement, made by one or two hon. members that the rules of the House should be rigidly observed.

MR. BLAKE: This is a recurrence of the old discussion we had the other day, in which the sense of the House was adverse to any general extension. The hon. gentleman (Mr. Robinson) has given us a perfectly good reason, if it is proved by the promoters of the Bill, for their making a special application for the suspension of the Rule in this case. We make objection to wholesale extension, which would favour the evil as well as the good.

MR. MACKENZIE: The hon. gentlemen who are to take charge of this Bill spoke yesterday about the course to be pursued. I said then that, if it could be established that some train was delayed two or three weeks, it would be a reason for a delay. For my own part, I am not objecting to this special extension. But instead of that the Chairman of the Committee has now moved for a general extension, which ought to be opposed.

MR. ROBINSON: The hon. gentleman knows I do so at the bidding of the Committee.

MR. MACKENZIE: Certainly.

MR. BOULTBEE: One of the Bills affected by the motion before the House is one I have charge of and which I spoke to the hon. member for Lambton about yesterday. The petitions were prepared some months ago under my advice and sent to Manitoba, and have been on the road from Rapid City something like four weeks; they only reached me the day before yesterday. In speaking to the hon. gentleman I did not give him to understand I would take any special course; I asked him the proper course to follow, and I thought I was acting properly in asking for an extension of time. If there was any misunderstanding it arose from my ignorance of the Rules. I simply acted in the way I thought best to procure an extension of time. It is of no interest to me, but only to those who sent me the Bill.

SIR JOHN A. MACDONALD: I think it was settled the other day that the Rules should be rigidly adhered to; but it was said, as to-day, that, in any case where cause could be shown that a Bill should be made an exception to the rule, if the consent of the House was taken, that favour should be granted. The House had always erred, if at all, on the side of leniency.

*Motion negatived.*

#### PRIVATE BILLS.

##### MOTION TO EXTEND TIME NEGATIVED.

MR. DREW moved that the time for receiving Private Bills be extended six days, as recommended by the Select Standing Committee on Miscellaneous Private Bills.

SIR JOHN A. MACDONALD: I think there was a motion made on the submission of the report of the Committee on Private Bills the other day, that the time should be extended for twelve days, and a motion in amendment that it should be limited to six was rejected. That was the deliberate decision of the House; and this report is in reversal of the action of the Committee.

*Motion negatived.*

#### WAYS AND MEANS—THE TARIFF.

Order for receiving Report of Committee of Ways and Means (March 9th) read.

MR. MACKENZIE: The sugar legislation which the hon. member for Cumberland has been taking credit for was of the most extraordinary character. When I last addressed the House I was proceeding to show, and challenge the hon. gentleman to deny, that the price of sugar in Canada was relatively higher than in New York; in other words, that, if the old Tariff had been applied to sugar during the last year, we should have had it delivered in Canada, after purchasing it in New York and paying the old duties, at  $\frac{1}{2}$  c. to  $1\frac{1}{2}$  c. per lb. less than we have had to pay to the monopolists of Montreal. We have other grievances besides that one. In Ontario, it seems to be the intention of this Government to legislate against the rights of the people to have a refinery at all. From a return brought down to this House it will be seen that, during six months in 1878, we imported 32,000,000lb. of sugar into Ontario; while during the six months last past, of 1879, we imported only 9,000,000lb. There is a discrimination in the law against the importation of sugar into that Province; it is prohibited to bring in sugars from New York, although that is the cheapest route to the Upper Province from the place of production. Canadian vessels can take and deliver West India sugars at New York, and they can be carried by railway to the point of consumption cheaper by that than by any other route; but in order to give a monopolist at Montreal and some others further east entire control of this trade, the Government have prohibited the importation of sugars by any route save the St. Lawrence, and in such a way that the casual observer may not notice it at first in reading the Statute. It is done by imposing on all sugars entering Canada from New York and all other than St. Lawrence ports, duties on packages equal to those on the contents, which operates as I have described; and to show that the operation has been in this direction during the six months of 1878, corresponding to the last six of 1879, only 20,000,000lb. were imported into Quebec, while for that period of 1879 the quantity was 46,000,000lb. I object wholly to a policy which discriminates against any Province or locality of the Dominion. This is one of the worst evils of the policy of hon. gentlemen opposite,

that they endeavour to force trade into unnatural channels. To be sure, the hon. member for Cumberland said that this afforded a great deal of employment to Canadian vessels. It does not furnish one pound more. They carried the sugar in any case from the West Indies, and even from the Clyde, and they cannot obtain a monopoly to Montreal. There is no advantage in this policy in any respect; and it is another instance of the mischievous policy pursued in endeavouring to divert trade by legislation to artificial channels. Speaking of the revenue from sugar, the results of the last six months show that we imported 2,110,000lb. more than in the corresponding six months of 1878, and got \$250,000 less duty. While this revenue has suffered to this extent the people have been paying higher prices by an average of 1c. per lb. than they would have paid under the late Tariff, and this 1c. must have gone into the pockets of somebody. The legislation of hon. gentlemen opposite has had the effect of diverting this heavy taxation—for it is as much taxation as if it went to the Government coffers—into the pockets of a few monopolists; and we find the hon. the Finance Minister boasting that his policy has created what we scarcely had in Canada before, some millionaires. This policy has resulted in making some men excessively rich, and all the rest of the country poor in the same proportion. The hon. the Finance Minister stated the other night, in his speech, that there was a decrease in the goods imported in the United States to the extent, if I recollect aright, of 33 per cent., when there was a decrease of only 7 per cent. as affecting British goods. Now, this calculation was arrived at by a manipulation of figures which is totally unjustifiable. He embraced certain free goods from the United States, which preponderated largely, and based his calculations upon those. The real position is this: There was a decrease of imported goods from the United States upon which a duty was collected of 18 per cent., while there was a decrease on goods imported from Great Britain on which duties were paid of 15 per cent., only a difference of 3 per cent., while the hon. gentleman made it appear that there was a differ-

ence of 26 per cent. against the United States. This shows how unreliable are the statements the hon. gentleman has made. I leave the details of that to be dealt with by other hon. gentlemen who will speak, as I propose to devote myself chiefly to some other branches of the discussion. But we see in another branch of trade what the effect of the Tariff has been. In the six months of 1878, there were imported of woollen goods \$4,420,257 in value, yielding a duty of \$773,217. In the corresponding six months of 1879, there were imported \$2,984,153 in value, paying a duty of \$787,661; in other words, the total value of such goods imported was reduced by over one-third, and the duty collected was about the same. The average rate of dutiable goods from Great Britain in 1878 was properly stated by the hon. gentleman opposite at 19¼ per cent., and it is now 19½ per cent.; but from the United States it was 12 per cent., whereas it is now 15 per cent. Now, the average upon dutiable goods from Great Britain, while it was 19¼ per cent. before, is now 24½, or an increase of 5 per cent.; while the average duty which was before levied on goods from the United States was 22, is now 23, per cent., or only an increase of 1 per cent. So the hon. gentleman has discriminated against British trade, notwithstanding a'l his professions of loyalty and devotion to the Mother Country, as 5 per cent. is to 1 per cent. But, the hon. gentleman promised that this matter should be rectified, in his interview with some manufacturers in Manchester. If I recollect right, he promised that attention should be given it at the coming Session. What is the attention the hon. gentleman has given it? There has been nothing in the hon. gentleman's speech indicating the slightest change, and yet we were led to suppose—or would have been led to suppose, if we knew nothing of it from other sources—that the people of Great Britain were immensely pleased. The hon. member for Cumberland (Sir Charles Tupper) was intensely gratified that he found a member of the United States Embassy in London who coincided with him in the Protectionist policy. Well, Sir, it was what was to be expected; he could hardly expect a Protectionist Government to have anything

else than a Protectionist servant there, and that servant would naturally express concurrence in his views. But the hon. gentleman failed to tell us that he found everywhere else a concurrence of opinion hostile to the policy which has been pursued. To be sure, the hon. the Finance Minister called upon this side of the House to establish a statement that was made that there was great discontent in Great Britain at the policy pursued by my hon. friend from Lennox.

AN HON. MEMBER: Centre Huron.

MR. MACKENZIE: He should have been from Lennox, and he will be the next time. The hon. member for Centre Huron (Sir Richard J. Cartwright) quoted Lord Salisbury's remarks as evidence of the strongest kind coming from the second man in the British Cabinet, regarding the course pursued by Canada, and expressing the opinion that it would produce great discontent throughout England. Now, what was the reply of the hon. gentleman from Cumberland to this? He acknowledged the statement by Lord Salisbury, but added: "What," he says in his emphatic manner, "does not the hon. member for Centre Huron know that Lord Derby, when confronted with a body of workingmen, told them the only resource he could recommend to them was to emigrate to America?" Well, what on earth has this to do with the question? The mere fact that Lord Derby said something in the way of advising men to emigrate did not at all affect the position taken by Lord Salisbury, and had no connection therewith, and is therefore no answer. If the hon. gentleman had accompanied his preposterous and absurd statement in comparison of the utterances of the two noble Lords with less than his own vehemence of manner, it would have been ridiculed and laughed at. There was nothing whatever in the statement made by Lord Derby that in the slightest degree conflicted with or referred in any way whatever, directly or indirectly, to the statement of Lord Salisbury respecting the evils of a Protective policy in Canada. But the hon. gentleman opposite was obliged to send Sir Alexander T. Galt to Belfast to apologise for his policy. He was sent there in order to make a speech, that the hon. gentleman either did not feel capable of making

himself, or did not care to face the people with.

SIR SAMUEL L. TILLEY: I was on the Atlantic then.

MR. MACKENZIE: Yes, but when he went on the Atlantic he knew very well that these people wished very much to see him. I quite admit that the hon. gentleman did right under the circumstances in sending Sir Alexander T. Galt, only it is extremely inconvenient to have a Finance Minister not occupying a seat in either branch of the Legislature. How the hon. gentleman happens to make up his calculations as to the revenue for the year I am utterly unable to conceive. He admits that, while the revenue from July, 1877, to the 1st March, 1878, was \$15,032,742, from the same period in 1879 to 1880, it was only \$14,083,534; yet he expects to bring up the revenue to the amount he mentioned. Now, applying the same principle of calculation which is applied elsewhere to the remaining part of the year, we would only have reason to expect an additional revenue of something over six millions; and suppose we add a million to that, for the purpose of making up deficiencies in estimating quantities and values, or for making up for importations that might take place under peculiar circumstances, we have a total revenue, calculated by the hon. gentleman's own figures, of a little over \$21,000,000. The hon. member for Cumberland laid great stress upon the fact that there had been several deficiencies during the term of the late Government. He lectured my hon. friend beside me as being a "king of deficits," and he approached the discussion of that subject as if there was something in deficits that was immoral or improper. Now, if there was a deficit, it was simply because the Government was unwilling to impose additional taxation during a time of deep depression of trade, but, notwithstanding the deep depression of trade, had the values not fallen as they did, there would have been no deficit. It was, therefore, clearly right that we should calculate to some extent upon a revival of trade, upon higher prices in the future, and that the revenue would naturally rebound from the state of depression into its normal condition. Under these circumstances it was but right that we should not look

upon a deficit as an insurmountable evil, or its existence as in all cases a political mistake, because money has to be provided in some way at any rate, and the only question that can possibly arise under these circumstances, is this: Is it better for the Government to impose additional taxation where it can possibly be able to do so, or to leave the amount of the deficit as an additional charge against the country in another shape? The country has to pay in either case: by imposing additional taxation, it pays at once; by avoiding it, payment is postponed. But, while we are agreed in the general proposition that in a normal state of trade there should neither be a deficit nor a superabundant revenue, I at the same time say that in the exceptional circumstances in which we were placed, we adopted the best possible course that could be adopted. But the hon. gentleman opposite was not content with denouncing deficits in themselves—although he might have been more moderate in his language respecting that, as he had a gentleman sitting not far from him (Sir A. T. Galt), who is his assistant Finance Minister at the present time, and whom he was protecting by his speech against what he considered the assaults of my hon. friend from Centre Huron. He ought to know that that gentleman was a deficit maker on several occasions during the few years he was Finance Minister, before 1862. He ought, therefore, to have been more modest in his denunciation of what was done by his own friends. They pursued that policy at a time when there was no depression in trade; they pursued a policy of allowing deficits to occur without taking any steps to meet them. We were in a different position. A serious depression had overtaken us, and, if any Government was ever justified in allowing a deficit to exist for a few years, we were justified. But the hon. gentleman was not content with denouncing the existence of deficits as a political, if not a moral, wrong, but he also grossly overstated the amount. Now, I quite admit that the amount was not more overstated than are the usual statements of the hon. member for Cumberland; we look for such statements from that hon. gentleman; he is always in excess with his figures, such as the statement the other night, that we

came into office with a majority of ninety at our back. The hon. gentleman must know perfectly well that that was not the case, yet he boldly ventured the statement as if it was an indisputable fact. Now, the hon. gentleman states, respecting the deficit, that it reaches over \$8,000,000. I will read to the House, according to his own statement, the deficits as they occurred. In 1874-5, we had a surplus of \$935,644; in 1875-6, the deficit was \$1,900,795; in 1876-7, \$1,460,027; in 1877-8, the deficit was \$1,128,147; in 1878-9, \$1,937,999. But I would say with respect to this last figure, although I have taken it from the Public Accounts, the Estimates we prepared for that year would not show such a deficit. The hon. gentleman opposite introduced a very large expenditure by Supplementary Estimates into the last year, for which we were not at all responsible. But, even assuming the responsibility for all that expenditure, our last deficit amounted to \$1,937,999, and the total to \$6,426,968 for these four years. From that sum we have to deduct the surplus in 1874-5 which leaves the nett deficit \$5,491,324. But from this amount we have again to deduct the amount which during that time we paid for the extinction of the Debt, although it is invested otherwise at present; in other words we paid to the Sinking Fund the sum of \$4,190,064, which left our entire deficit for the period we were in office, including the amount for last year, for which we were not responsible, at \$1,301,260, while the hon. gentleman made it in his extraordinary speech between \$8,000,000 and \$9,000,000. Now I will now proceed to deal with another subject. I said in the course of the early part of my remarks that, while we were able to keep our expenditure for our period of office not any higher, or very little higher than the last year for which the hon. gentlemen opposite took the estimates, that is, for 1873-4, it was only through expenditures forced upon us by no policy of our own that we reached the expenditure of hon. gentlemen opposite in 1873-4. This we are entitled to deduct, to make a comparison with theirs. I may say, with reference to expenditure generally, that we kept within the Estimates of 1873-4, as prepared by the present Finance Minister. In our expenditure for that year, we spent \$565,000 less than

the hon. gentleman estimated for. But in the last year for which we took Estimates, that is 1878-9, during which financial year we were in office three and a-half months, and the hon. gentlemen opposite eight and a-half months, they not only did not keep within our Estimates but they expended a little over half a million more than our Estimates covered; we are therefore charged with half a million of sundry payments for which we have no responsibility. Now, I propose, with the indulgence of the House, to give some exact figures of certain services which were performed by us which the Government preceding us had not to perform, and which we reasonably must deduct from our total expenditure in order to compare it with the expenditure of the hon. gentlemen opposite in the year 1873-4. In the fiscal year, ending June, 1875, we paid an increase over the year 1873-4, in the matter of interest on debt and subsidies to Provinces alone, of \$868,938. In 1875-6, we paid \$866,561, in 1876-7, we paid \$1,223,538; in 1877-8, we paid \$1,393,725, and, for the last year, for which I do not assume any responsibility or take any credit, \$1,696,843. Now, for Weights and Measures, for which Act the hon. gentlemen opposite, prior to 1874, paid nothing, we paid in 1874-5, \$69,969; for 1875-6, \$99,785; for 1876-7, \$111,085; for 1877-8, \$96,484. For the North-West Police, being a service which the previous Administration were responsible for and partly organised, we had to expend in excess of their 1873-4 expenditure, 1874-5, \$133,984; in 1875-6, \$169,919; 1876-7, \$153,140; 1877-8, \$135,149. We had to pay additional to the expenditure of 1873-4, for the extinguishment of Indian titles in the North-West, as follows: in 1874-5, the excess was \$49,422; in 1875-6 \$130,307; in 1876-7, \$155,528; in 1877-8, \$275,435. We had also to pay additional sums for the Administration of Justice to the following extent: \$98,530, in 1874-5, in excess of their largest payment the previous year, and a similar excess in 1875-6 of \$144,750; in 1876-7 of \$167,629; in 1877-8 of \$167,005. Now, with regard to the Administration of Justice, we are responsible, in one sense, for one item of these increases, about \$50,000, being the yearly cost of

the Supreme Court. But the Supreme Court was a measure which hon. gentlemen opposite were determined to introduce. It was introduced by them, if I recollect right, three times, and they only failed to carry it because they had not sufficient strength in the House to do it. When we introduced that measure, it was supported by both sides of the House, so the Administration of the day had no special responsibility regarding that. The other increases in the Administration of Justice were wholly consequent upon the establishment of the Court of Appeal in Ontario the year before we came in, but no payment upon that account was made by that Administration. The establishment of County Court Judges in Nova Scotia, the establishment of a full Court in Manitoba, and the expenses of miscellaneous justice and the North-West Territory items, make up the balance of this increase. Now, there is not one cent in all this expenditure for the Administration of Justice for which we can be held responsible in any shape, except that of the Supreme Court, and that responsibility is shared by hon. gentlemen opposite. Then no payments were made by the hon. gentlemen opposite before we came in on account of Prince Edward Island. We know from official statements that the expenditures connected with that Province amounted to about \$800,000 and a little over for each year. Of that, however, a little over \$370,000, I think, is composed of subsidy to that Province, and the interest upon the amount of debt allotted under the Terms of Union. I therefore calculate \$400,000 as the amount which was imposed upon us to provide for, in addition to the subsidies and debt, which I have already calculated under that head. We have therefore paid for each year's expenditure on this account a sum of not less than \$400,000. Then we paid on account of the Intercolonial, over the last year of hon gentlemen opposite, that is, 1873-4, the increase when the line was completed, in 1876-7, \$360,124; and in 1877-8, \$509,724. The nett result is this, that in 1874-5 we paid, of such items as were never paid by hon. gentlemen opposite at all, the amount of \$1,620,843; in 1875-6 this excess was increased to \$1,811,322; in 1876-7 it had increased to \$2,571,044; and in 1877-8 it



had increased to \$2,977,522. I omit from this altogether some special payments for which we might fairly take credit. We had to meet the entire expenditure of the Exhibition at Philadelphia; we had to meet the entire expenditure at Sydney, and we had to meet a very large proportion of the expenditure connected with the Exhibition at Paris. We had also to meet a very large expenditure connected with the boundary survey in the west. There is also the sum of \$13,000 for the organisation of the North-West Territories, which I have not included. I have, in fact, failed to include a very large number of items which I fairly might have included, and which would swell this by some \$200,000 or \$300,000. I desire to confine myself entirely to items which cannot be disputed or impugned. Now, what would be the result of these figures? It would be this. We spent, as I have stated, of the Estimates which the hon. gentleman presented in 1873, \$565,000 less than he estimated. The nett expenditure for that year was \$23,316,316, and that I may say included one considerable item for the Intercolonial Railway, which the hon. member for Cumberland (Sir Charles Tupper) denounced us for charging to revenue account at all. He said it ought properly to be charged to capital account, and that we were not justified in charging the revenue with it. If we had not charged the revenue with it, we would have come within the expenditure estimated for by something approaching \$1,000,000. Apart from that the nett result is this. The normal expenditure for 1873-4 was, as I stated, \$23,316,316, and, making the deductions which must be made in order to have a fair comparison, our expenditure of 1874-5 was \$22,092,228; for 1875-6, it was \$22,677,050; for 1876-7, \$20,948,257; for 1877-8, \$20,525,636; for 1878-9, \$20,898,407. That is, supposing we admit our responsibility for the expenditures of that year—a responsibility which I admit so far as our own Estimates are concerned, but which I do not admit so far as the Supplementary Estimates of last Session are concerned. I think I can fairly appeal to the House that I have shown most conclusively that the late Administration, instead of being charged

as they have been by the hon. gentleman opposite with being extravagant, are entitled to the praise and confidence of the House and the country for the economy they exercised in the discharge of their public duties. I have said nothing about the inevitable increases, such as the increase of the Civil Service consequent upon the introduction of another Province; upon the increase connected with matters I have mentioned in the North-West Territories, such as the salary of the Lieutenant-Governor, the payment to his Council, and expenses of a cognate character in the Territory of Keewatin. I have not taken into account many things which I might fairly take into account, because I desire only to refer to such matters as are indisputable and against which no argument can by any possibility be urged. I do not propose further to follow the matters connected with the financial statement made to the House at the present time. While speaking of the Tariff, I omitted to refer to one of the articles which I intended to refer to, and, although a little out of my line of argument, I must ask the patience of the House to deal with it for a moment. One of the pretences of hon. gentlemen opposite was their desire to benefit the farmers. It was alleged that, because the United States imposed certain duties upon our grains we should meet them, to use the words of the hon. member for Cumberland (Sir Charles Tupper), by adopting the sincerest form of flattery, by following their example, and that we also should impose a similar duty on their grains and agricultural produce. We know very well that, except in urgent circumstances, or for important local reasons, no grain paid any duty into this Dominion on account of the Tariff, that the amount received from that source was one which could not be less trifling in its character, and must of necessity have no effect upon our prices. We know that the price of wheat was relatively higher in Chicago and other western cities in the United States than in Canada under the *régime* of hon. gentlemen opposite, since their Tariff was passed, than it was before, while we had no duties on foreign wheat. But, while they were willing to make a pretence of serving farmers in this way, they neglected utterly the imposition of duty upon some articles which might pos-

sibly put money into their pockets. On the article of manufactured woollen goods they took care to impose the heaviest duty ever known in this country; heaviest upon the poorest article of woollen cloths. They made the poor man pay ten times as much as the rich man, as the specific duty on the finest broadcloths was the same per pound as that upon the poorest quality which the labourer and farmer wore. They endeavoured in this way to give protection to the woollen manufacturers, and the decrease in the quantity of woollen goods brought into the country shows how effectually that protection has operated. But, while this was done, while they pretended to protect all classes, no protection was given to farmers upon their wool. The hon. gentleman opposite—stung by the reproaches of hundreds of thousands of honest yeomen throughout the country, who felt that they were betrayed and sold, that they were imposed upon by the specious pretensions of hon. gentlemen opposite at election times, who demand that this shall cease, that the Tariff shall be reduced to its proper position—in order to throw a sop in their way and keep down the rising storm, imposes a duty of three cents a pound on imported wools of the Leicester, Cotswold and Lincolnshire sheep. Now, I can hardly believe that the hon. the Finance Minister is ignorant of the fact that there is not a pound of these wools imported into Canada. He surely knows that this is worse than the sham he perpetrated last year. I know that that is the case, because I know the qualities of the wool grown in this country and the qualities imported. But, in order that there may be no mistake about it, I will read extracts from some letters which I have received from parties deeply interested in this business. One of these is perhaps the largest dealer in the whole of the Dominion. He says:

“Mr. Tilley will not get one dollar of revenue from this source, as we do not import one pound of this class of combing wool, and we are not likely to do so, as we have no machinery here to manufacture the class of goods this type of wool is suited for. We can buy wool from other countries at a great deal less cost better suited to our trade. This duty is a transparent fraud on the farmers, as it will be of no benefit to them, and will not affect the manufacturers. The price of this class of wools is determined in England which is our only competitor; she produces annually 100,000,000lb.

We produce 8,000,000lb. I have been in this business over twenty years, and was only able to ship three times to England. Our market has always been the United States. I bought and sold 1,300,000lb. last year, of which 900,000 lb. went to the United States, the balance was used in Canada.”

The other writer is a manufacturer, who says the duty will be of no benefit whatever to the farmers. The following is an extract from his letter:—

“I see that the Government intend putting a duty of 3c. per pound on Cotswold, Leicester and Lincoln wools by way of pleasing the farmers, but it will not benefit them one cent, as the class of wools are as a rule worth more in England than Canadian wools are here, consequently, not likely to be largely imported; but there are wools imported of long staple coarse hair which do compete with Canadian in the manufacture of carpets, blankets, flannels, coarse tweeds, grey cloths, and knitting yarns. The wools I refer to are East India, China, Egyptian, Russians Italian, and many other continental wool, which are now used in Canada. If it is necessary to protect the Canadian farmer his share should not be such an imaginary one as the proposed duty will be; 5c. on the low class or wools would be a protection.”

That is the opinion of a gentleman who is a manufacturer and who understands precisely what he is speaking about. I was somewhat surprised—well, no, I was not, I was interested, but not surprised—to hear the hon. member for Cumberland denounce the efforts made by the late Administration, in 1874, to obtain some reciprocal trade with the United States. He represented the plenipotentiary accredited by Her Majesty's Government, at our instance, as going down on his knees to the Yankees, and telling them that we had nothing more that we could give them, and that all had been given away, while the hon. gentleman had no doubt in view a full recollection of what was given away in 1871 by his present leader. The hon. gentleman was right in stating that we had given away nearly all that we had; but it was not given away by us. We never gave anything away. The only transaction we had with the United States Government was the Fishery Award, from which we realised a very large amount of money, as the hon. gentleman knows, while they were quite willing to sacrifice the whole of the fisheries for a mere nominal payment in 1871. We demanded, in the first place, to have no English Agent unacquainted

with this country and the merits of our case. We insisted upon having the management of our affairs in our own hands. This was conceded, and the result was what was never before accomplished. We got what was just at the hands of the United States, because of our good management of our case. But the hon. gentleman says that all was given away that the country had to give. Why, Sir, we recollect the pitiable figure cut by the hon. leader of the Government in Washington in 1871. We do not forget that he could have got, if he had had only the foresight and practical knowledge as to what he should do, the admission of coal, salt, lumber and fish into the United States, and he refused to do it. And it will also be recollected that he did not pretend, as the Canadian representative, to venture to put in a demand, much less insist on it, for reparation for over a million dollars, which we expended in defending this country against marauders from the United States. No country was ever so humiliated as Canada was by the hon. the leader of the Government, unless, indeed, it was England, that concurred in the decisions of the Convention. The hon. gentleman was right in saying that everything was given away. In fact, we gave away some things without any pretence at recompense. We gave away the free navigation of the St. Lawrence in exchange for the use of the Yukon and Stickeen Rivers in Alaska. The hon. gentleman was not aware that we were in full possession of the navigation of those rivers before that, by virtue of the Convention of 1825 with Russia. Yet that was the solace. We gave away those great rights for a right to navigate a canal in our own territories on the St. Clair Flats. There was nothing else to give away, or it would have been given by the craven, abject policy pursued in Washington in 1871, where the hon. gentleman's leader acted as our representative. I am only surprised that the hon. member for Cumberland would ever think or dream of speaking of the proceedings at Washington in connection with the proceedings of both Governments. The hon. gentleman sneered at the plenipotentiary sent by Canada in 1874, and spoke of the expense in connection with that mission. Well, Sir, our plenipotentiary never

charged Canada a cent for his own services, and we find that abortive missions to France and Spain have already cost the country nearly \$12,000, without an iota of benefit, good, bad or indifferent. Nay, more than that. They have bought up a Senator, who changed his political views last year, and got him to their side by paying him \$1,500 in order to do something in Paris, at the same time that we were paying \$12,000 to Sir Alexander T. Galt and Mr. Bernard for the same service. And they are not ashamed of speaking of these things—they are not ashamed of the figures in the Public Accounts. It is as transparent a fraud as was ever offered by a public man. Yet we are lectured on this side of the House because we did not succeed in the praiseworthy effort at Washington in 1874 to obtain some terms of equality in connection with our trade to that country. Nay, more, hon. gentlemen opposite seem to think that it is a grand thing to revile the United States; that it is a fine policy to attack that country; that it is a grand principle of political action to apply the *lex talionis*; that we must reciprocate what we consider their illiberal policy; that we must endeavour to do them all the injury we can. Now, we know that it is the inevitable fate of this country to be associated with the United States in trade relations. We cannot avoid it. We are side by side for thousands of miles. They are the same people as ourselves. They were a British Colony like ourselves, but they have a different system of Government; but there is no reason why we should not have the closest relations of trade with that country. They should be one of our most profitable customers, and anything that is done to injure them is a fatal stab at our own prosperity. We find that, during the Recess, Ministers have been guilty of the indiscretion, to use no stronger word, of boasting what they will do, and the hon. member for Cumberland, the other night, boasted in his own peculiar style, that now we had the United States at our feet; that now 4,000,000 of people could dictate terms to 50,000,000; that now, when they saw we were taking matters into our own hands, that we were determined on continuing a policy of Protection, and keeping Canada for the Canadians, this people

would come and solicit from our hands a portion of the good things Canada has to offer. Nothing can be more sublimely ridiculous or absurd. We can discuss those matters in a reasonable, sensible way with the United States, and do all we can to show them again, as we have done in the past, that the prosperity of both countries may be considered in a commercial sense together, and that while we have our different political feelings, we are desirous of cultivating trade with them. By following that policy, we may achieve something. By following a defiant and offensive policy, we only lend strength to the arms of those parties in the United States who are hostile to us as a political organisation, on this continent. The Government are doing their very best to injure the country, by attempting to initiate a policy of retaliation with a people twelve times as strong as we are. Even the legislation of the country has been tampered with by hon. gentlemen opposite. When we were in office we found the malt trade from Canada to the United States prosperous, and we found that the Customs duty of 2c. per lb., which was in the old Tariff on malt, but which was never realised, because there was little or no malt imported into Canada, was looked upon by the people of the United States as an intention to exclude their products. The late Government abolished that duty upon malt, and the hon. gentlemen opposite took off 1c. of the Excise duty we had on malt, and re-imposed 2c. per lb. upon malt coming from abroad. The result was this, that the Legislature of the United States has taken up the challenge of the hon. gentleman to retaliate, and they have imposed such a duty upon malt coming into the country that will make it impossible for Canadian malsters to continue that trade. And this is done by the mischievous meddling of the hon. gentlemen opposite with matters they do not understand. They pretend to have an intimate knowledge of trade, and in the resolutions introduced last year concerning the Tariff—resolutions, I may say, which, with all that was attached to them, were borrowed from the United States Tariff; and all will remember that some of the rags of the United States Tariff hung around the resolutions when they were brought down here. Words only

applicable to Washington were found in the resolutions on our desks, showing that, while the Government were determined to have a Protective Tariff, they did not know what it meant or how to frame it, and had to look to Washington for information. That is the position, Sir. I have no doubt whatever but the silly boasting of hon. gentlemen opposite with regard to their neighbours will produce still more disastrous results if they are continued in power many years by the people, and I think it my duty to warn the country and this House that the policy which they have pursued is the most dangerous that any Government could take the responsibility for. The hon. the Minister of Railways said the other night that such was the brilliancy of the prospects of Canadians; such was the prosperity that had dawned upon the country, that people—I quote his words—were “rushing into Canada” in order to partake of those benefits. Why, Sir, there has been a rush out of Canada. The hon. the Minister of Finance knows very well, and he acknowledged it honestly in the House the other night, that thousands of people left St. John for the United States, and the only excuse the hon. gentleman gave was that they came into New Brunswick because employment was to be had in 1876 and 1877, and left in 1878 because there was no employment for them. Well, that is precisely what we said; this is precisely our ground. Under the late Government and the late régime, work was, generally speaking, even in the darkest period, plentiful; but the moment the stamp of the policy introduced by hon. gentlemen opposite was set upon the country things changed for the worst. Some one says, “the mark of the beast.” No, Sir, rather the sline of the serpent. The moment that trailed itself over the land, that moment the people began to move. We are informed by the United States Consul at Sarnia, where I live, that during the last season no fewer than 23,000 Canadians crossed the river at that point to settle in the United States.

MR. KIRKPATRICK: No, to go to Manitoba.

MR. MACKENZIE: No, to settle in the United States. I quote from the Consul's report, and I have no doubt that it is correct; and I have no doubt it is

equally correct of the exodus from New Brunswick.

**SIR SAMUEL L. TILLEY:** The Americans should not be annoyed at our policy, then.

**MR. MACKENZIE:** So far as acquiring a desirable population is concerned, they should not; but they can afford to take the population, and resent the retaliatory policy of the Government as well. The one is not intimately connected with the other. But the hon. gentleman (Sir Charles Tupper) let us into a secret the other night. He told us that Sir John A. Macdonald—I beg pardon for naming him, because I never remember whether he is from Kingston or some other place—had inspired Lord Beaconsfield and enlisted him as a Canadian emigration agent. Well, Sir, it was one of the most pitiable exhibitions I ever remember seeing the Premier of the British nation make, and I was sorry that any demented Canadian should have reached the ear of His Lordship and induced him to make such a preposterous statement as he did a few days later. For my part, I supposed it was some wandering vagrant, who had found access to His Lordship, but, when I learned that it was the Premier of Canada that had instilled such nonsense into the British Premier's mind, I was more than astonished, and I can only trust that no Canadian, be he Minister or commoner, will ever again make such a preposterous statement to any British Premier; or, if he does, that the British Premier will not be foolish enough to give the statement credit.

**MR. LANDRY:** Hear, hear.

**MR. MACKENZIE:** I am glad to find that one hon. gentleman on the Ministerial side of the House entirely agrees with me. To be sure, Sir, the new light is a small one, but even a rushlight gives light occasionally in a dark place; and, if the hon. gentleman will only not hide his rushlight under a bushel, there is no saying what it may accomplish in the corner where he sits. I need not take up much of the time of the House with reference to our own policy with all foreign nations on commercial matters. The House is well aware that the ground we held was that foreign trade is an essential element of national prosperity. We hold that any restrictions upon trade,

**MR. MACKENZIE.**

otherwise than what is required for revenue purposes, are mischievous, and while we shall always be ready to aid the Government of the day in obtaining such taxes as are requisite for carrying on the public affairs of the country with credit, we shall never consent to a policy which, while raising some revenue for the State, imposes eight or ten times that amount as taxes to be paid by the public to individuals who do not serve the State. That is the position we occupy. It is said that we are hostile to manufactures. How are we hostile? We believe that the Revenue Tariff which was formerly in existence gave a very considerable protection to manufactures. It was called "Incidental Protection," and, whatever there may be in a name, it was a protection, nevertheless, because it gave every manufacture in the country 17½ c. on the dollar more than he would be entitled to were trade entirely free between this and foreign countries. We took steps at the various Exhibitions in the South Seas and in Europe and the United States, to have our manufactures properly represented, and those steps were beginning to produce a natural result. A considerable amount of our manufactured goods were sent to Germany and France, some to the Cape of Good Hope, some to the Australian Colonies, some to New Zealand—all in consequence of the measures taken by the late Government, to make known the kind of manufactures which can be obtained in Canada. It is said that hon. gentlemen opposite were peculiarly tender in affording protection to ship-builders, and the two hon. Ministers—the hon. member for Cumberland and the hon. member for St. John—were taking especial credit to themselves in this matter. In 1874 the hon. member for Cumberland attacked the late Government repeatedly because they were imposing unusual burdens on shipbuilders. Well, what has happened under the new system? Shipbuilding was never so depressed as it is to-day. Let the hon. gentleman look at the shipyards at Quebec. Let him look at the idle thousands in the city, who formerly found a considerable amount of employment. Two ship-builders of Quebec, two prominent citizens, told me that the city was never in such a state as it is at this moment, largely on account of the failure of ship-

building, through the policy of hon. gentlemen opposite, and partly from the failure to obtain work, as the hon. gentlemen promised, by the established of manufactures. The hon. the Minister of Finance said that I was mistaken in the remarks I made the other day with reference to his own Province—that there was a large amount of manufacturing done there. I have no special intimacy with that Province, and I shall leave that subject for some New Brunswick gentleman to deal with. What I said, however, was this: I had no reference whatever as to whether there were or were not extensive manufactures there. What I desired to point out was this: that the Finance Minister, in endeavouring to account for the probable injury that would be done to his part of the country, pointed out, over and over again, that it would become a great manufacturing centre and send its goods to the west. What I said was that, while there was no doubt in my mind of the intelligence and enterprise of the people of New Brunswick, I found they had no special advantages which would enable them to compete with intelligent people 1,000 miles away, and that it would require an unusual degree of intelligence and skill, not possessed by the western people, or an ample possession of unusually cheap power—something to give an advantage—in order to achieve that result. I said then, and repeat, that there are no such special advantages in New Brunswick, and that the hon. gentleman, in endeavouring to do what he failed to do—to carry his own Province—led the people to believe in what he must have known to be a glaring impossibility. Indeed, he has himself admitted that there are less working people in his own constituency now than some years ago; his manner of accounting for the fact I leave to the disposal of gentlemen from his own Province. Our policy towards the manufacturers there and elsewhere is very simple, that no class of the community should be placed upon a footing inferior to that possessed by any other class, and, if the manufacturers obtain an undue preponderance in the way of protection, that result will be injurious to all other classes, but especially would it be injurious to the farmers and mechanics, and, in a minor sense, to the labourers; that those classes would have to pay whatever it cost to protect the

others; that fortunes built up by the millionaires, of which the hon. the Finance Minister boasted a short time ago, were only extorted from the sweat of the people, who earn the real wealth of the country by their hard labour. I desire here to refer to a statement of the hon. member for Cumberland; he stated in the most pronounced manner that, in 1876, my hon. friend the late Finance Minister, and the Government of which he was a member, had determined upon the introduction of a higher Tariff, and that they were diverted from it by a deputation, headed by a Mr. Jones, who represented their determination to oppose the Government if such were done. This story is wholly imaginary; the late Government never determined on any such policy, and never were visited by Mr. Jones with any such message. There was a question at that time as to the policy of getting additional revenue, or allowing a possible deficit to accrue. As a matter of course, there was discussion among those who might anticipate the possibility of the Government imposing a higher rate of duty on imports; but that the Government ever determined to adopt that course is wholly incorrect. I expect the hon. gentleman will not repeat his statement, which has been made several times. An hon. friend behind me states that the whole speech of the hon. member for Cumberland was only a series of repetitions, and that future ones will be the same. In that case, I would suggest that he get it printed for future use and distribute it, as this would save a great deal of trouble in connection with its repetition orally. Having given the financial results since 1873, fully, and the effect of the Tariff upon the revenue, I have little further to say at present. There are many things I would like to discuss very fully. The hon. gentleman's speech is a rich mine for those who choose to attack him on many of the grounds presented; but, as many other hon. gentlemen are doubtless to follow me, much of what I would like to take up will be dealt with by them. But there are one or two things I desire specially to advert to. The hon. member for Cumberland, among other extraordinary statements, said that we gained office by unholy means in 1873. What were the unholy means? The hon. gentlemen opposite had a vote of want of confidence

that I moved, as leader of this side, pending against them; they discussed it for days, and at last went sneaking out of the House one night—the hon. the Minister of Finance, with a commission as Lieutenant-Governor of New Brunswick, prepared in the Privy Council office, awaiting him, and another Minister with a commission as Judge awaiting him. The hon. the Finance Minister got up at that time and stated, in his place in the House, that they intended to resume the debate on the following day, and asked us to agree to an adjournment, which, in the state of the House, they knew they could not carry. The majority assented to that adjournment, and before the House met again Lieutenant-Governor Tilley and Judge McDonald were off to their respective situations. The Government deserted their post; they failed to respond to an invitation to test their position by a vote of the House; they went out at the back door; they endeavoured to get away under cover, hiding themselves wherever they could. Under these circumstances, we were called on to assume the responsibilities of office by the Governor-General. And yet the hon. gentleman says we obtained office by unholy means. If our means of obtaining office were unholy, I may look in vain to the vocabulary, even of the hon. gentleman from Cumberland, and for a word expressive of the condition that the hon. gentlemen opposite were reduced to at that moment. To be sure, he took great care not long afterwards to wash his own hands of the transaction which was the cause of their quitting office. He said, at all events he was not to blame—he had no hand in the pie; and now, when he and all of those concerned in that transaction have come back to be leaders in political life, he speaks of it as a very venial transaction—defends it, almost, and flings taunts across the House against those who were called on to administer the Government when they were no longer able to do it. While the majority on this side of the House are disposed to leave this transaction alone, gentlemen opposite may well do so; because, if they persist in discussing it, perhaps it will be necessary for us to discuss, some day before long, in what position the country was at that time, what was the result of their policy, and what is to be expected

from the continuance of such gentlemen in office in the future.

Mr. RYKERT: Mr. Speaker—

Some HON. MEMBERS: Six o'clock.

Mr. RYKERT: I shall take my own time in endeavouring to reply to the remarks of the hon. member who has just sat down, as well as those of the ex-Finance Minister. Were we to believe all that is said on the opposite side of the House we must come to the conclusion that this country is coming to ruin and disaster. One would naturally suppose that those hon. gentlemen who profess to be such patriots would have the interests of the country so much at heart that they would seize the first opportunity of joining with the Government in endeavouring to alleviate the country's sufferings; that when they found the country sinking to ruin and decay, and its credit impaired as they have described, they would strive, with the Government, to relieve it from its serious trouble. Some years ago, hon. gentlemen opposite felt it to be necessary to abolish party lines and join hand-in-hand with hon. gentlemen on this side for the good of our common country. The result was the launching upon the country of the great scheme of Confederation. But hon. gentlemen opposite and their friends, true to the instincts of their party, the very moment they found the Conservative party in possession of the Treasury Benches, with some Liberals determined to co-operate with them in carrying on the public business, at once set to work to pull down what had been built up, and to leave the country to its fate. That, in my judgment, was not a patriotic course; but it is just exactly what might have been expected of them. The hon. member for Lambton alluded a few nights ago to the hon. the Minister of Railways in reference to what he said of the remarks of the hon. member for Centre Huron (Sir Richard J. Cartwright). He then remarked that no instance could be found in the record of the Canadian or English Parliament of any statesman having spoken of his political opponents in the style of that hon. Minister. I very much doubt if any hon. gentleman could surpass those remarks the hon. member for Lambton himself made immediately after. Though he promised to address himself to the

question itself, without calling what he described as ugly names, he, the moment after, launched forth with all his energy into a stream of abuse of the hon. member for Cumberland, denouncing him in unmeasured terms. I have no doubt he felt the criticism of that hon. gentleman, but, if any person ever deserved the castigation dealt out by the hon. the Minister of Railways, it was the hon. member for Centre Huron. All must have felt the speech of that hon. Minister to be unanswerable. The very moment the hon. gentlemen to the left of the Speaker found themselves in the cold shades of Opposition, they commenced to attack and abuse the Government; that has been their practice from time immemorial. The Conservative party has once more been charged with all sorts of crimes and misdemeanours, with extravagance and corruption. But, when the Reformers were in office, and found guilty of extravagance and corruption, their only reference was: we are no more guilty than our opponents; they did the same or worse. I believe that the whole cause of this unwarrantable attack on the Government is a feeling of chagrin and mortification at the success of the National Policy; and I should be wanting in my duty to my constituents and electors were I not to take the first opportunity to recognise the great value of that policy, which has proved, even in a short time, a boon to all. They predicted last year it would fail, and that within twelve months we should have to go back to a Revenue Tariff. The Opposition, on the day the House met, predicted a deficit of \$3,000,000, and the whole speech of the ex-Finance Minister was based on the supposition that there would be a large balance against the Government. I think I can show that the late Government are responsible for any actual deficit. In the case of a great national undertaking, like this fiscal policy, we had no right to expect a great success the first year. However, I and other hon. members on this side have been agreeably disappointed at the result; instead of \$3,000,000, there is only a deficit of \$500,000. Another plan they seem to adopt, in order to satisfy the people that the National Policy is a failure, is to publish reports similar to that which appeared last evening in the Opposition

organ here, showing that there were only 300 empty houses three years ago, and now under the National Policy there are more than double the number. What is the meaning of all that? Did we ever hear of any person crying down his credit before? Yet these people, in order to make the people believe that the National Policy is a failure, proclaim it to the world, and illustrate it by stating that there is a large number of vacant houses in every part of the country. I venture to assert there is no other place in the country in which the same number of vacant houses could be found as in Ottawa, and what is the cause? I believe it is to be attributed to the failure of the lumber trade. Their policy is to make the people believe that the country is going to the dogs. Their organs almost daily dilate on failures and bankruptcies. These hon. gentlemen gloat over the misfortunes of other men; they seem to be delighted when they find a man who has become insolvent, and desire at once to parade his private affairs before the House. It is an extraordinary thing that the great men of the party, that the party itself should, because they happen to find themselves in Opposition, resort to such disgraceful means in order to make people believe in the failure of the National Policy. I think, however, the exhibit made by the hon. the Finance Minister, a few nights ago, must satisfy every person that that policy has succeeded beyond even the most sanguine expectations, and promises greater success. I feel that I should be wanting in my duty towards that hon. gentleman if I did not here state that I believe that the National Policy meets with the approbation of the country. I can say for my own county that I have heard very few, -if any, complaints against it. On the contrary, I have scores of letters approving of that policy. I can quote from manufacturers in every part of the Dominion in its favour. In my county, numbers of manufacturers have increased their staff of workmen by nearly one-half within the last year, and one large manufacturer has increased his capacity to nearly double what it was. They find that the stock which was imported last spring, in anticipation of the new policy, is now nearly exhausted, and in a short time they expect to see the beneficial effects of that



policy. The same result is seen elsewhere. Almost every day we read in the papers of new manufactories being established in different parts of the Dominion. Hon. gentlemen opposite say this is not the result of the National Policy. Well, what is the cause of it? They said a short time ago that our country was rapidly going to destruction, that our factories were being closed up, but all that has been shown to be incorrect, and I think we can fully claim that the revival is largely, if not entirely, due to the National Policy. The hon. gentlemen seem very much annoyed that the hon. the Minister of Finance has redeemed his pledges made before the elections of 1878; they are annoyed that the National Policy has proved successful; they are annoyed that the hon. the leader of the Government has carried out strictly everything he promised when he brought before the House that famous resolution before the late dissolution. Those hon. gentlemen are so much annoyed at the result that they are doing all they can to destroy the credit of the country. I cannot believe that they are sincere, because, though we hear the hon. member for Lambton declaring that he is a Free-trader in policy, we know that sitting all around him are Protectionists. We know that a large number of his supporters, both in the House and out of it, are not only in favour of a Protective policy, but of a retaliatory policy.

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

### After Recess.

BELL TELEPHONE COMPANY INCORPORATION BILL.—[BILL 17.]

(*Mr. Kilvert.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

MR. SPROULE objected to the 3rd clause of the Bill as amended.

MR. KILVERT said the amendment agreed upon was that, in cities and towns, the opening up of the street for the erection of poles or carrying wires under the ground, should be done under the direction of an officer appointed by the municipal council. The general powers given

to telegraph companies were more extensive than this Bill proposed to grant them. If allowed to enter cities, towns or incorporated villages, the promoters of this Bill were willing to submit to the regulations of those municipalities.

MR. BOULTBEE: I do not wish to hamper this company or bother them in any way. The telephone is a very useful invention, but, if the company has power to go from house to house and street to street, the very least they can expect is that they should get the consent of the owner of the property. We are granting powers to deal with property in a manner which could not be done without an Act of Parliament, and we ought to see that it is done under the direction of the proprietor, who, in this case, is the council of the city, town or village, as the case may be.

MR. RICHEY said he perfectly agreed with the observations of the hon. member for East York (Mr. Boulton). He had proposed an amendment in the Railway Committee somewhat to the same effect as this proposed amendment. It seemed to him a very high-handed act, after a Legislature had incorporated a city and conceded to it certain powers—the inhabitants of that city not being able to till the soil without the permission of the city; not being able to plant a tree without authority—that persons outside of that city should be allowed to come in and break up the soil for the purpose of laying down their wires. If permission of this kind were granted to telegraph companies and telephone companies and horse railways, citizens would never know when they were safe. This matter should be left to those who were entrusted by the city with the right of guarding its interest.

MR. SPROULE said he thought the amendment was good enough as far as it went, but it only affected part of the evil. There should be a provision in the law to prevent these companies putting up their lines in the most important streets, and interfering with ornamental trees. He thought also fire companies should be allowed, if necessary, to cut these lines. If this Bill were not amended, the Company would have the right to do as it pleased. He had a doubt whether this matter belonged to this House at all, instead of to the Local Legislature.

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MR. WRIGHT said the power given to cut down shade trees was a matter that required careful consideration. Some shade trees on his property, which he had been preserving for thirty years, had been ruthlessly cut down by a telegraph company to whom this power had been given, not only to his own injury but to that of the public.

MR. HOLTON: No doubt the powers asked for by this company have reference exclusively to cities, towns and incorporated villages. They do not propose to build their lines from town to town, but only in the towns, and it may be well questioned whether they ought to come here to obtain the powers which they ask. If, however, we can give them the powers they seek, then, unquestionably, those powers should be exercised subject to the regulations that the various corporations may enact respecting the opening up of streets, etc. But I invited the attention of the right hon. the leader of the Government to this larger question privately, and I think it is well worth his attention. I do not speak dogmatically in relation to it, but I have very grave doubts indeed as to whether this measure ought to come here at all; but I am very clear about this, that, if we have power to grant the Charter with the powers which are sought for, we ought to surround those powers with such safeguards as will prevent inconvenience and injury in the cities and towns in which these, perhaps very useful, appliances may be erected. I venture to suggest, while I do not wish to thwart or delay the hon. member in charge of this Bill, that it is a new thing and we ought to be cautious in establishing precedents in relation to it; and, therefore, I suggest that the Bill should not be taken through to-night. It may take this stage, and perhaps my right hon. friend the leader of the Government may consider it. I have doubts, in the first place, as to whether the promoters of the measure should come here at all. The Local Legislatures are alone concerned in the governance of the municipalities of the country, and we ought not to override the powers of the municipal bodies to regulate their own affairs.

MR. JONES: It was understood in the Railway Committee that this Bill should be reprinted and amended in accordance with the suggestions made in

that Committee. It was suggested that the 3rd clause should apply not only to cities but to towns and incorporated villages. At present it applies to cities in one place, to towns and cities in another place, and to incorporated villages in another. I think this clause should be made to apply to cities, towns and incorporated villages without distinction.

MR. KILVERT: It was especially provided in that 3rd clause that we should have no right to cut down shade trees; we did not ask the right to do so. The hon. member for Chateauguay (Mr. Holton) mistakes the object of the Bill in saying it is only to be confined to cities, towns and villages. We propose to connect those places by telephone as well as to establish telephones within them. The 3rd clause has been amended in accordance with the suggestions made in the Railway Committee, in so far as to put in the words "towns or villages." I am willing, also, to amend it by adding the words "towns, villages and other places." I have also added a clause providing that the construction of these lines shall be under the supervision of the engineer or such other officers as the council of the corporation may appoint, and in such manner as the council may direct. I think that meets all the objections which have been raised against the Bill. I will have the Bill printed as amended before it comes before the House again.

Bill ordered to be reported.  
House resumed.

(In the House.)

Bill reported.

#### PRIVATE BILLS.

##### CONSIDERED IN COMMITTEE.

The following Bills were severally considered in Committee of the Whole and reported:—

Bill (No. 25) To authorise the establishment of Superannuation, Provident and Insurance Funds by the Great Western Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 35) Respecting the Niagara Grand Island Bridge Company.—(Mr. McCarthy.)

##### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 64) To authorise and provide for the winding up of the Consolidated Bank of Canada.—(Mr. Gault.)

Bill (No. 65) To amend the Act respecting the Montreal Telegraph Company.—(*Mr. Gault.*)

Bill (No. 66) To incorporate the Quebec and Ontario Railway Company.—(*Mr. Cameron, North Victoria.*)

Bill (No. 67) To amend the Acts respecting the Canada Central Railway Company.—(*Mr. Fitzsimmons.*)

Bill (No. 68) To incorporate the Nelson Valley Railway and Transportation Company.—(*Mr. Macdougall.*)

Bill (No. 69) To incorporate the Rapid City and Souris River Colonisation Railway Company.—(*Mr. Bannerman.*)

Bill (No. 71) To incorporate the Pontiac Pacific Junction Railway.—(*Mr. White, North Renfrew.*)

Bill (No. 72) To extend the corporate character and powers of the Direct United States Cable Company to the Dominion of Canada.—(*Mr. McCarthy.*)

#### BILL INTRODUCED.

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

Bill (No. 76) To remove doubts as to the true construction of Section 12 of the Northern Railway Company Act, 1877.—(*Mr. McCarthy.*)

#### WAYS AND MEANS—THE TARIFF.

##### ADJOURNED DEBATE.

House resumed the debate on the motion for concurrence in the resolutions, reported from Committee of Ways and Means (March 9th.)

MR. RYKERT: I think I heard a remark made by the hon. gentleman from Lambton to the effect that he hoped I would spare him the infliction of a speech. I have no disposition to spare the hon. gentleman, if I can help it, although I think there is nothing very much to answer in what he has said. Like other hon. gentlemen on the opposite side—and particularly the hon. gentleman who sits on his right—he thinks that whenever he takes off his hat he uncovers all the political wisdom of the country; but there are others who do not entertain that opinion. What they say can have very little effect on this side of the House, and I think I can point to no better illustration of the actions and conduct of these gentlemen than that which appeared a few weeks ago in the *Toronto Grip*, in which they are represented as sitting down, laughing and fiddling, while the country is going to the dogs, like the Roman of old. I am not aware that the hon. member for Centre Huron (Sir Richard J. Cartwright) has any right to lecture gentlemen on this side of the House, or to lecture the present Finance

Minister. The remarks of the hon. gentleman, the member for Centre Huron, will not bear much scrutiny with regard to deficits and extravagance, and I may say—without being unparliamentary—corruption. His record, both inside and outside this House, will not justify him in lecturing the present Finance Minister. I think that a gentleman, who, a year or two ago, sat on this side of the House, and who assumed office with a large surplus, and with an overflowing Treasury, and who found himself unable to cope with the affairs of the country before the expiration of the five years that he and his colleagues held the Treasury Benches—a gentleman who sat with his arms folded, indifferent to the country's welfare, and who acknowledged himself incapable of affording any relief, is not a fit and proper person to lecture the hon. the Minister of Finance. His parting words, which he gave to this House in 1878, are sufficient to show to us that he is not qualified to administer a rebuke to those now in possession of the Treasury Benches. When he found himself with his second or third deficit, he gave us the following parting words:

"I hold we committed the very common error, of grasping at far too much; a pardonable error perhaps, but none the less a grave error, particularly in a country circumstanced like ours. \* \* \* In conclusion, I desire to be clearly understood, I do not at all pretend that the present Government have been faultless in their conduct during the last four years. I do not at all pretend to say that they have committed no errors or that their conduct of affairs has been absolutely free from blunders. To make such a boast would be to expose myself to the jeers of hon. members opposite."

The country believed that that hon. gentleman and his friends had committed great blunders, which he was forced to admit in his last financial speech. The country knew he was utterly incapable of managing its financial affairs. Well, Sir, these gentlemen went to the country, and the country had the choice between men who had violated every political principle, men who had not only ruined the credit of the country, but who had left the country in a ruinous state—the country, Sir, had, the choice between these men and the right hon. gentleman and his friends, who had, on retiring from office in 1873, left the country in a prosperous condition, and who had always faithfully and honourably legisla-

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ted for the good of the country. They had the five years' record of the gentlemen opposite before them, and they ignominiously defeated them at the polls. Hon. gentlemen opposite pretend to say that it was a "snap" verdict, but the people of this country are not so badly informed; they know what they are doing well enough, and can readily choose between men who are true patriots and men who have sacrificed every political honour and principle for office. The late Minister of Finance claims that he, above all others, has the right to discuss financial affairs in this country. We could see surrounding his speech, the other night, a sort of hidden venom towards his former leader in this House, and any person studying his career in this House must have known that his motives were other than patriotic. The fact is that his talents were not recognised by the right hon. gentleman who leads the House. Had the right hon. gentleman thrown aside Sir Francis Hincks and taken Sir Richard J. Cartwright into his Cabinet, we would now have seen him on his side of the House, for the feelings of the hon. gentleman are opposed to the principles of the Reform party. His talents were not appreciated, and then he joined hands with gentlemen on the other side of the House, and the moment they reached the Treasury Benches we find how he conducted himself. He is not satisfied it appears with having rolled up a number of deficits, but he attempts to justify it by showing that other men in power had also had deficits. That is a strange style of argument, but it is the argument which is always adopted by the Reform party whenever charged with extravagant expenditure. They say, "True it is, we have done all that, but other hon. gentlemen have done worse than we have done"; and that is a justification. He charges the right hon. gentleman who leads the Government with increasing the debt of the country upwards of ten millions of dollars in six years, between 1867 and 1873. When I heard that startling statement I was surprised. I read over and over his picnic speeches, and I read over the speech he delivered here the other night; and I was curious to learn what position he occupied in this House during these same six years in which he charged the right hon. gentleman with

such extravagance. I turned up the records of this House, and I find the hon. gentleman no less than ninety times recorded his vote in favour of the right hon. gentleman, whom he charges with this extravagance, and only thirty-five times against him. This was his course during the six years that he charges the right hon. gentleman in favour of whose measures he recorded so many votes with increasing the debt of the country by \$10,000,000. He tells us the Government ought to be condemned because a previous Government with which the right hon. gentleman was connected had rolled up a debt of \$10,000,000, and he tells us this after voting the greater part of the time with the right hon. gentleman for the measures by which that debt was contracted. It seems rather inconsistent that he should condemn the course taken and at the same time have voted with those whom he condemns. While condemning that extravagance here, I find that elsewhere he does not charge the right hon. gentleman with extravagance at all. In the celebrated speech made by him at Newmarket, which is known to some hon. gentlemen, after speaking about the increase of expenditure from thirteen millions to twenty-three millions of dollars he says:

"Before proceeding I may as well observe here that I am not necessarily condemning those several expenditures, but I am simply pointing out to you the position in which they had left the finances of the country when my hon. friend the First Minister assumed power."

Well, Sir, we have another evidence that he was not dissatisfied with the course of legislation during those years. He went to London to negotiate a loan, and upon that occasion he was anxious to put the best foot forward. He was anxious to make the people of England know to what extent we were entitled to credit. He pointed out the magnificent resources of the country; and, in speaking of the ten millions added to the expenditure of the country during those six years, he says: "The whole of this debt has been incurred for legitimate objects of public utility, for railways, canals," and so on. We find him afterwards at Aylmer, and there he ran riot in his absurd remarks. He used language unbecoming any gentleman, as he is addicted to do when not in the presence of gentlemen opposed to him, and

who cannot, therefore, have the opportunity of answering him. In speaking there of the increase of the National Debt, he said :

"They prepared to meet such a burden of debt as no Minister had ever before dreamed of imposing on the country, by raising the expenditure, in one year, four millions of dollars. Sir, I have asked myself more than once, and I now publicly repeat the question, was this done in sheer brutal ignorance and recklessness, or was it done of malice prepense? Did they design to scuttle the ship after they had plundered her? Or was it only the last mad folly of the drunken crew before they ran upon the breakers?"

That is the choice language of a Finance Minister. Let me notice another portion of his celebrated manifesto, issued in England, and which is intended to show in what manner the money was expended by this "mad drunken crew," as he called them at Aylmer. I find therein the following language :

"The Revenue has shown a continuous surplus during each year since Confederation; in 1867, although it has in the interval been charged with much heavy expenditure of an exceptional kind, such as outlay connected with the several Fenian attacks on the country, the acquisition and organisation of new territory, and providing an adequate defensive force for the Dominion, etc."

Here is a man who has on one day charged another with an increase of expenditure of \$10,000,000, admitting on another he had increased it in opposing the Fenian raid, and providing a defensive force, etc. We find that this gentleman has, in the face of his past record, the audacity to stand up and make charges of recklessness and extravagance against the present Finance Minister. We find, a short time after his party assumed the reins of power, that this financial genius did not altogether fancy the Estimates brought down by Mr. Tilley, and the first thing he does is to prove to the satisfaction of the House and the country that there was going to be a deficit; and, in order to give greater publicity to it, he placed in the mouth of the Governor-General these words. He said in his Speech, delivered at the opening of the Session of 1874 :

"I regret to say that the receipts of the present year will not be sufficient to meet the expenditure. It will therefore be necessary for you to consider the best means for making good the anticipated deficiency."

He set out with proving to the satisfaction of the House, at that time, that there

would be a deficit, and then he asks for an increased expenditure. Immediately he asked for power to raise an additional sum of \$3,000,000. What was this for? The country can only infer that it was to cover his anticipated reckless extravagance. So delighted was the organ of the party with the hon. gentleman, that it gave him the following certificate :—

"Mr. Cartwright was perfectly justified in imputing the whole responsibility of the deficit to his predecessors. The country is advantaged by having a Finance Minister who is interested in telling the whole truth and reserving nothing. It is doubtful if the whole truth has been told of late years, and the fact that Mr. Tilley failed to realise or let the House know that he was \$1,500,000 short in his Estimate of 1873-4, has an ugly look about it."

At that time he was satisfied there was a deficit, and so was the *Globe*, but in a very short time we find there was no deficit. The hon. the Minister of Railways and Canals, in replying to the Budget Speech in 1874, showed that instead of there being a deficit there ought to be a surplus. The House, however, cordially voted the \$3,000,000 to supply the anticipated deficiency, as exhibited by the hon. gentleman, as it is always ready to supply money, when it finds the country in an embarrassed condition. The line of argument adopted by the hon. gentleman is an amusing one, and I propose now to apply the same line of argument to the deficit of this year, and I think I can prove that instead of the hon. the Minister of Finance having a deficit he has a surplus. It is in the recollection of hon. gentlemen, that the hon. the Minister of Finance this year declared that, had it not been for the vast amount of goods suddenly withdrawn from bond, prior to the adoption of the National Policy, he would have had a surplus. That is just the argument these men adopted in 1873-4. Let me read from the *Globe*, and if the hon. the Minister of Finance can satisfy himself that the *Globe* is right, he will see that he has no deficit. The *Globe* of August 6th, 1874, says :

"It is quite true that the receipts of the year, under the operation of the new Tariff, and the rush to take goods out of bond when an increase of duties was anticipated last April, have, so far as can be ascertained at present, covered the deficiency and created a surplus \* \* \* The approximate additional Customs duty, which accrued from the removal of goods from bond, in expectation of increased duties, was \$600,000, and of Inland Revenue \$650,000. But these

are in the nature of drafts in anticipation of the revenue naturally accruing in 1874-5. The improved revenue caused by the new Tariff amounted up to the end of the financial year to \$546,000. Then these sums amounting in the aggregate to \$1,796,060, brings up the revenue to \$24,204,925."

The hon. the Finance Minister says that at least \$700,000 worth of goods were taken out of bond in February last year, in anticipation of the increased Tariff, which amount, if the theory of the *Globe* be correct, must properly belong to the year 1879-80. If so, then, instead of there being a deficit of \$500,000, there will be a surplus of \$200,000. I purpose still further to show the inconsistencies of the ex-Finance Minister. I find that the figures of the hon. gentleman were not always looked upon in the very best light by his own organ. I am going to call a witness, who will be believed in the Grit Court at any time. I find in the *Globe* of July, 1872, the character of the hon. gentleman is given on the eve of the general election. Previously to that he had made an open bid for the finance ministership, but the right hon. gentleman the present leader of the Government, did not appreciate his abilities. He made a speech on the occasion of the delivery of the Budget Speech, in 1872, in reference to which the *Globe* says:

"If we may judge by a financial calculation with which he endeavoured to amuse the House the other evening, the 'independent' member for Lennox and Addington is under the impression that he is a wit—a delusion in which the Government papers are likely to confirm him by representing his 'calculation' as though it was of some account.

"Since the hon. member for Lennox and Addington has by a little figuring succeeded so much to his own satisfaction in confuting his own opinion a year ago, we would suggest that he should keep himself at the figuring business. His party is just now in need of the services of a man good at mixing and muddling figures."

Now let us go a little further. I happened to notice some time ago that some writer in *Current Events* had been dissecting the hon. gentleman and I thought it worth while preserving the same as it appeared to me a very perfect picture of the hon. gentleman. Anyone reading it would almost fancy it was written by some person who heard the hon. gentleman speak a few nights ago:

"Perhaps the recent political history of Canada has never been so boldly travestied before an intelligent audience as the Finance Minister attempted to travesty it at Strathroy.

His facts are almost invariably wrong, and his figures—well, his figures are plastic and accommodating. No public man, certainly since Confederation, has less right than Mr. Cartwright to attempt a show of consistency. Whether the *soupcion* of personal pique against the Conservative leader, on the ground that his claims as a financier were contemptuously set aside, be true or not, there is certainly a verisimilitude about it, read in the light of the Minister's vindictive speeches against his former chief, which cannot be blinked. The attempt to play upon popular ignorance, or rather popular indifference, not merely to him and his antecedents, but to any party politics more than a year old, is futile. He is now responsible for the financial *status* and credit of the Dominion, and we have no hesitation in saying—although there is not the sign of a suitable successor on the other side—that he is not the man to play ducks and drakes with the future of the Dominion. His policy has been all wrong from first to last; he has borrowed money at ruinous rates, when he should have imposed taxes; he blames his predecessors for not imposing taxes when they were not wanted; his forecast of the future has egregiously failed in every year of his tenure of office; and, in addition to all his other deficiencies, he has the foulest tongue, save, perhaps, Mr. Francis Jones, in the Dominion. Incompetency is stamped upon the whole course of his Administration, and if posterity will not say of him what Sir Francis Dashwood expected contemporaries to remark, 'There goes the worst Chancellor of the Exchequer that ever lived,' it will be because they have forgotten all about him. \* \* Mr. Cartwright is so eaten up of personal antipathies that he could not do any good as a Minister, if he would."

I have no doubt the hon. gentleman anticipated that his record would be brought up. I take this course for the purpose of showing the House what kind of a gentleman we have to lecture us here every night. It is not an unfrequent occurrence to hear that hon. gentleman denounce the hon. members on this side of the House for the course they have taken in regard to the Pacific Railway. One who did not know the course pursued by the hon. gentleman in Parliament would naturally suppose that he was always of the same mind, but we find that his statements are not of a stable character. The hon. gentleman made a stump speech at Dunnville, in which he threw as much odium as possible on the right hon. the leader of the Government, and said the country had swept him out of political existence. Subsequent events, however, showed that he was wrong. In that speech he said:

"And as if those burdens were not sufficient they had committed the huge and final blunder of engaging to build the Pacific Railway."

When he made this speech, he knew right well that he himself had always supported the Pacific Railway policy of the right hon. gentleman. Even as late as 1872, after he found that his financial ability was not appreciated, and had commenced coquetting with the hon. member for Lambton, he used the following language in a speech at that time (See *Globe*,) May 1, 1872 :—

“Their good faith was pledged for the construction of the Pacific Railway in a given time, and if the construction broke down they would still have to complete it any cost.”

This is the gentleman who voted with the Government of that day to entrust them with \$30,000,000 to build the Pacific Railway as well as with 50,000,000 acres of wild land, and also voted against a resolution declaring it inexpedient to trust the Government with the disposition of so much money without first submitting the same to Parliament. This is the gentleman who condemned the increase of expenditure between 1867 and 1873, and at the same time voted to throw \$9,000,000 of the people's money into the sea, as the Government of the day, which he supported, was charged by the Reform party with doing, when it adopted the longer route for the Intercolonial Railway. I noticed also in a recent speech, delivered by the same gentleman at Dunnville, he made a charge against the Government for its reckless expenditure in behalf of Nova Scotia. Upon taxing my recollection, I concluded that I had seen the hon. gentleman's name figuring alongside those of hon. gentlemen strongly in favour of granting aid to Nova Scotia. At this celebrated meeting at which the hon. member for Monck (Mr. McCallum) was present, the hon. the ex-Finance Minister says :

“Searcely were they in office for a year when we find them willing to destroy the whole financial basis of Confederation, to appease the people of Nova Scotia. In fact if the late Government had set their wits at work to devise a plan which would inflict the most serious injury on the prosperity of Confederation, they could not have succeeded better than they did.”

Now that subject was discussed in Parliament and a vote taken upon it. The following amendment was moved by Mr. Holton and seconded by Mr. Mackenzie :

“In the opinion of this House any disturbance of the financial arrangements respecting the

several Provinces provided for in the British North America Act, unless assented to by all the Provinces, would be subversive of the system of government under which this Dominion was constituted, and, if effected, as proposed by this Bill, in favour of one Province, without at the same time providing for a general revision and re-adjustment of those arrangements, would be manifestly unjust to the other Provinces.”

It would be supposed that the hon. gentleman voted in favour of that amendment, but, on looking to the record, I find that the Hon. Sir Richard J. Cartwright voted against it. He did not tell that in the county of Monck. That is the kind of man we have to lecture to us on what we should do in regard to the financial affairs of our country. The hon. gentleman says that this Government obtained their present position by false pretences. Well, these false pretences, I suppose, were that the country had found that he and his colleagues had run the country hopelessly into debt, and squandered all the surplus that had been accumulated year after year by the right hon. gentleman who now leads the Government ; that they had shamelessly abandoned their principles ; that they were entirely indifferent as to the affairs of the country, and that they were determined that that fly-on-the-wheel policy should not be continued. Yet these men had the cool impertinence to say that we had obtained power by false pretensions. I think it comes with very bad grace from this hon. gentleman. I think I have heard the charge made that the hon. gentleman had purchased no less than five of their colleagues in order to obtain possession of the Treasury Benches. At any rate a certain number of leading Conservatives allied themselves with the hon. gentleman, who all his life had opposed coalitions. The people knew that, and entered a righteous verdict against them. It is well known how that election was carried. We find that something like twenty-eight of these gentlemen were unseated for elevating too high their political standard. I am now going to call a witness to prove that there was wide-spread corruption on the part of the Reform party on that occasion, and that gentleman is the hon. member for West Durham. He had a thorough knowledge and appreciation of the corruption of those days. He made a celebrated speech, which he called “a disturbing speech” in a

place called Aurora. In speaking of the extravagance and expenditure at many elections, he tells us what was done by the Reform party. In that celebrated effort, which is called the "Aurora disturbing speech," the hon. member for West Durham says :

"Although no candidate has been found guilty of any impropriety, it has been found that many men belonging to the Liberal party, and prominent in the electoral districts, so far forgot what was due to the country and to this party as to be engaged in the disposition of funds in an illegal manner."

When the hon. member for Lambton came back from the elections in 1874, the hon. gentleman told us that they had not spent a dollar—that the election had been conducted with the utmost purity. But the most beautiful part of the speech of hon. member for West Durham is where he gives the flat contradiction to the hon. member for Lambton. He says :

"There is no doubt of the gross impropriety of the acts disclosed, and the only excuse that I can see for it is that these gentlemen could not have fully realised that we had got the boon we had been struggling for, but thought that the old corrupt course would be followed by the other side, and that whoever was elected by any means could keep his seat."

In speaking about the same election in 1874, and the result of the controverted election cases, a person named McKellar, whose name is familiar in connection with the Proton enquiry, in giving evidence on the subject, stated a few interesting facts. He was in the town of Prescott, and declared that he would let the people know how elections were carried on. He is somewhat of a humourist, and has generally a pretty good story to tell. On the occasion I refer to, he said :

"It is very convenient for our opponents for us to keep quiet while they did all they could to corrupt the people. He might best illustrate what had taken place, by a story of how a person who had thrashed everybody around him, got converted and became a Methodist local preacher. A man had an eye on him, and thought to give him a good beating, believing that he would not resent. He went up to him and told him what he intended to do. The man who had been converted immediately said he thanked God he belonged to a Church which believed in backsliding, and taking off his coat said he would be a backslider for a moment. This is what the Reformers had done ; they had backslidden for a moment, had got the reins of power and passed a law which prevented corrupt practices."

That is the way the election in 1874 was

carried ; and yet the hon. member for Lambton talks about corruption. Those hon. gentlemen opposite have boasted about their majority in 1874. Well, the hon. member for West Durham was not sanguine about that majority. He said the majority was represented by 178 votes, and had they been turned the other way there would be a minority in the House. The hon. gentleman charges this Government with recklessness and extravagance in the expenditure connected with the Pacific Railway. He always stated that the late Government would never give a contract for any portion of the line that had not been surveyed and located. This was one of the governing principles of the Reform party, but, upon the eve of election, they advertised for tenders for the line from Yale to Kamloops, and not one foot of the line was surveyed or located. The hon. member for Centre Huron (Sir Richard J. Cartwright) has attacked the financial policy of the Government, and has exultingly pointed to his record as a proof of his statements. He has said that the hon. the Finance Minister had expended different sums of money which had not been voted by Parliament. I admit that one of the fundamental principles of the Reform party at one time was that no money should be expended without first obtaining the sanction of Parliament, but I contend that the whole history of the party shows a perpetual violation of this principle when they were in power. It is charged that the hon. the Minister has expended \$20,000 in excess of the appropriation for contingencies. The hon. gentleman has always been suspicious of "contingencies"; he said that the word generally covered up a great amount of rascality. Once, in the Local House, I noticed a charge for "dusters," and on investigation I found it was for a champagne spree at Belleville. On another occasion, I found the peregrinations of the now celebrated "corkscrew club" under the head of contingencies. Well, the hon. the Minister of Finance is charged with spending \$20,000 more than the House voted. I remember some remarks of the hon. member for Lambton in regard to contingencies in the Local House. He thought it was an outrageous thing for a conservatory to be built for the Governor-General, and the expense



charged to contingencies. When he got into power, however, we find a similar charge under the head of "Library." In 1873-4, the present Minister of Finance asked for \$150,000 for "contingencies." By a strange turn of the political wheel, the hon. gentlemen opposite found themselves on the Treasury Benches, and they spent \$222,000, or, in other words, \$72,803 more than was voted for that purpose. And yet it is a great crime for the hon. the Finance Minister to exceed the appropriation by \$20,000. In 1874-5 the hon. gentleman opposite asked for \$175,000, and he spent \$208,000, exceeding the appropriation by \$33,000. Before the Opposition went to the country, they cut down the Estimates, and the sequel is that this Parliament has been called upon to make good a deficiency of \$1,034,000. The amount asked for this year is \$25,000,000, but, if the charges for which they are responsible, and which had to be voted last year are deducted, the sum would be \$23,970,000. The hon. gentleman is what you may call huge on figures. He showed that the hon. the Minister of Finance had expended \$30,000 more for Civil Government than was voted by Parliament, and an additional \$30,000 for Superannuations. But he fails to tell the country that the general expenditure has been kept within the Estimates in many items. Comparisons are sometimes odious, but I think the hon. gentlemen will find that we do not suffer much by a comparison with 1873-4. At that time \$733,459 was appropriated for Civil Government; the amount expended by the hon. member for Centre Huron was \$883,000. The amount voted for the Administration of Justice was \$380,261, and \$459,037 was expended by the same gentleman; Penitentiaries, \$357,525 and \$359,551 was expended. Therefore, in these three items alone, the hon. gentleman exceeded the appropriations by \$267,028. Let us take the same items for 1878-9, which the ex-Minister estimated, but which were expended by the present Minister. Then \$882,174 was asked for Civil Government, and the present Minister of Finance expended \$861,170; Administration of Justice, \$614,000 was voted and \$527,896 expended; Penitentiaries, \$322,314 voted, and expended only \$308,482. It would therefore appear

that the hon. the Minister of Finance saved \$72,070 on these three items, as contrasted with his (Sir Richard J. Cartwright's) over-expenditure of \$267,028. Now let us take the Estimates for 1880-81. Although they are apparently large, they only exceed the proper Estimates of the preceding year by something like \$4,000 or \$5,000. What is the cause of the increase this year? It is not the extravagance of the Government. The interest on the Public Debt is responsible for \$699,191; the Census, a matter which must be attended to, requires \$195,000; for Railways there is an extra item of \$48,500; the extra amount for Indians is \$165,000, making \$1,079,691, which should be charged to extraordinary and not to ordinary expenditure. Deduct those extra items from the amount estimated by the hon. the Minister of Finance, the Estimates of this year will really amount to \$23,939,000, or \$40,000 less than those of the hon. gentleman opposite in 1878-9. Hon. members opposite have turned their attention towards the National Policy, which they term a sort of "legalised robbery." I say that the hon. member for Lambton does not represent the feelings of his own friends on that side of the House on this question; the public records show it. Is he in accord with the hon. member for North Oxford (Mr. Oliver), who, I think the records will show, is a strong Protectionist? Is the hon. member for South Brant (Mr. Paterson), and the hon. member for North Norfolk (Mr. Charlton), in harmony with that hon. gentleman on this question? I think not. If they are, the record belies them. I think the hon. gentleman only speaks for himself, and that the great Reform party, represented by the hon. member for North Oxford, is of an entirely different view. Let me illustrate the fact by a few observations from one of those hon. gentlemen who are continually harping upon the subject before the people, and asserting that the Reform party is entirely opposed to Protection, which is ruining the country. I would like to show how inconsistent they are, and have always been. The hon. member for Centre Huron (Sir Richard J. Cartwright) was not always a Free-trader; in one of his speeches in Parliament, he said:

"Protection would, in this country, for a few

brief years, enable manufacturers to make enormous profits, and would create a temporary general prosperity."

The hon. member for Lambton, in a speech delivered by him in Toronto during the late election, said :

"There is no doubt that wherever a protective system is adopted, it will for a time increase the production of a country, the manufactured products of a country, and in doing so will, if the sources of revenue are not dried up, induce a seeming prosperity."

The hon. gentlemen said just what we say, that manufactures create prosperity, permanent prosperity we hope at present. We have had a year of the National Policy, and it is shown clearly and conclusively that the country has benefitted by it largely. The hon. member for North Norfolk said that Protection was especially necessary in a new country, which would thus be enabled to compete with older countries, where it had long been established; that it suited the people at large, and especially the farming interest, etc. Here is what he said in 1876 :—

"That Protection is especially necessary in a new country—to enable it to compete with countries where manufactures are established; that judicious Protection here fits the nation at large, and especially the farming interests; that it creates a home market for farm products, and that the purchasing power of labour is increased; that the experience of the United States under Protection was a clear and marked illustration of Protection; that the tendency of Protection is not to increase, but to cheapen, prices to the consumer."

I recollect well when the question was discussed in Parliament, in 1876, the *Hamilton Times*, one of the Grit organs, took the Free-traders to task because they had pronounced against Protection :

"The next few months will develop whether Canadian manufacturers are to obtain justice by the adoption of Reciprocity, and failing that, their claims are as strong as ever for Protection. Meantime it would be well for our Toronto confrère to remember that he is not talking to a parcel of ignorant children, who do not understand their own requirements, and who can be laughed out of their honest convictions; but let it be understood that the manufacturing interests of Canada must be sustained and encouraged, either by Free-trade on both sides of the border, or by a Canadian Tariff that will correspond with that of the United States."

Now, one would suppose from his speech that the hon. member for Lambton is an advocate of the United States. He talks about some Senator being purchased, a

charge which he ought to be ashamed to make, knowing as he does that that hon. gentleman is, and has been, respected as an honourable man by all parties. One would naturally suppose that he himself had been purchased by the United States Government to advocate their cause. He is well understood to be a strong friend of the United States. The hon. gentleman says that a retaliatory policy will be suicidal to this country. His friend the hon. member for North Norfolk does not think so. A retaliatory policy, in 1876, was what the country then required. Hear what he then said :

"With regard to the resolution, I confess I would like to see a retaliatory policy adopted, which would bring the United States to terms, and would at least protect us against slaughter prices."

The member for South Brant (Mr. Paterson) also spoke in favour of Protection, in these terms :—

"I must admit that I am in favour of a defensive policy. I cannot view with complacency what we see in this country. We live beside a country with a population ten times greater than our own, whose industries have been fostered by Protection until they are enabled, even in some articles in which Britain excelled, to challenge supremacy with her. While that nation has erected against us and other countries a hostile Tariff, we have our hands bound and give them free and unrestricted right in our markets."

We need not go further than the *Globe*, which, under the heading "Weekly Review," on February 26th last, made these remarks :—

"Reports as to the business of the week are contradictory to some extent. This applies chiefly to the trade in dry-goods, some houses claiming to be doing a good business, while others report only a fair to middling trade. This is scarcely to be wondered at, as it is admitted that the dry-goods trade and also hardware have grown to considerable proportions here, thus rendering possible a great range of variation. Orders are coming in more freely for dry-goods, but the hardware men are not over-taxed. The wholesale dry-goods trade are busy filling orders for the spring trade, and in some instances both entry clerks and packers have been compelled to be on duty early and late. This branch has improved lately, and the spring trade may be said to have fairly commenced."

In the *Globe* of September 6th, 1879, I find the following additional testimony, which removes any doubt as to the effect of the National Policy :—

"It is long since it has been in the power of

Canadian journals to speak in congratulatory terms on the aspect of commercial matters; but we think we are justified in doing so today. We have for some time past mentioned that there were indications of amendment in the condition of the finance and commerce of the country; but have refrained from jumping too hastily at the conclusion that bottom had been touched, and that we were again moving upward. But matters now strongly point to an improved state of affairs. The 4th of September is always regarded as a critical test of mercantile ability to pay their indebtedness, and enquiry at the banks show that though there was a very large amount of paper maturing today, engagements have generally been very satisfactorily met. It is not putting it in too strong a light to say that bankers' expectations have been more than realised. We think we may say that the turn has come, and, under a *regime* of prudence, the necessity for which has been so strongly impressed upon all by the events of the past, we need not anticipate any retrogression from the upward step which has been taken."

What, after that, is the use of the hon. gentlemen opposite talking about the country going to the dogs, and the like? Is not that a very good proof of the prosperity that is being developed? In October, 1879, the *Globe* said:

"The improved feeling previously referred to as being manifested in business circles generally continues to be exhibited, and even in a somewhat more marked degree. \* \* \* \*  
Country merchants, consequently, rejoice, and the buoyancy is felt in proportion by the larger dealers of the city, from whom the main supplies are derived."

See the testimony also of the *Montreal Witness*, another Grit organ, which explains the cause of increase of bankrupts:

"The increase in the total amount of liabilities during the past year is owing in a measure to the failure of four banking institutions, whose liabilities were of course far above the average. Were it not for the failure of these banks, the year would probably be, with respect to the total amount of liabilities, the most favourable since 1874. Thus the average liabilities have also been greatly increased, being, in 1879, \$15,430, against \$14,088 in 1878, and \$14,657 in 1875. The number of failures is very large, but there can be no doubt that these have also been increased in consequence of the general apprehension concerning the amendment, or total repeal, of the insolvent law, apprehensions which were not unfounded, as the repeal bill was only prevented from becoming law by the action of the Senate."

The hon. gentleman (Sir Richard J. Cartwright) said the farmers were going to the dogs as fast as possible—were being starved out, with no prices for their grain; yet his own organ stated they had more time to think of home comforts during

the winter months. On December 4th, 1879:

"Taken altogether the trade of the last two months is an improvement on that for the corresponding periods of 1877-78."

Does the hon. member for Lambton want more than that to show the National Policy has been a success? The hon. member for Centre Huron, who was somewhat theatrical in his speech the other night, thought he made a great point, in speaking of the 200 idle workmen in Ottawa; he wanted to show what a terrible calamity had befallen the country, because that number came to the Parliament House to lay their grievances before the Premier; that, he thought, was an illustration of the statement that the country was going to the dogs, under the National Policy. But I recollect a larger similar demonstration during the late Administration, when that hon. gentleman had back stairs made from his office, by which to escape or hide from the workmen. The several hundred workmen were then of the "rough" class, and hon. gentlemen opposite did not wish to touch them with a twenty-foot pole. At election times they are the bone and sinew of the country; but men like the hon. member for Centre Huron have their aristocratic natures shocked by the presence of workmen. The Tory party were charged with having got up those demonstrations as an electioneering dodge. The *Globe*, of April 5th, 1877, said, under the heading of "More Tory Tactics":

"The Conservatives, have, with that good taste and love for the eternal fitness of things which are the special characteristics of the party of gentlemen, seem to have selected the Parliament buildings of the Dominion as a convenient and appropriate place in which to hold one of the noisiest and most disorderly of their party demonstrations. On the Premier going to the door of the Committee Room he was accosted by two rough-looking fellows who told him they wanted him to come down and speak to the men. Mr. Mackenzie refused to go.  
\* \* \* There is no doubt the whole affair was a thinly disguised political dodge."

"Rough-looking fellows" is the term used by the Reform party towards those workmen, except about election time. The hon. member for Lambton and his organs alluded on several occasions to the statement of the right hon. gentleman (Sir John A. Macdonald) that he could not give the idle men work, there being no

Parliamentary appropriation, and have described him as being totally indifferent to the wants of the workingman, and abused him because he would not spend money for them without the consent of Parliament. Now, what did the hon. member for Lambton say when these "rough fellows" came and demanded something of him? That reminds me of a letter I saw to-day from an expatriated countryman of ours, to a friend of his, which I could almost fancy the hon. gentleman had written. It is in his vein; he points out that the Ontario Government are going to be exceedingly liberal to the poor men, and, in order to relieve their distress, are going to erect new Parliament buildings. The hon. member for Lambton is reported to have said here:

"Mr. Mackenzie said he need not say that he was glad to meet the unemployed workmen, the appointment having been made in the ordinary way. He sympathised deeply with those in distress, and was anxious to do all he could to relieve them. The view taken by the men yesterday was apparently that the Government of the Dominion should provide bread or work. The Government was as powerless as anyone present to contribute in that direction, but he (Mr. Mackenzie) was always willing to relieve distress when he could afford it. \* \* \* The Government had no power to expend money without the order of Parliament. Because the Parliament Buildings were located in Ottawa, that was no reason why the Dominion Government should assist the unemployed workmen of the city. The people of Ottawa had no greater claim on the Government for assistance than the people of Halifax, St. John, Toronto or Montreal had. He pointed out the great advantages offered the agriculturist in the North-West Territories, where a man could get 100 acres of good land for nothing, and while working on it look forward to future affluence."

The late Minister of Public Works said the Great West was open to the workingmen, and the *Globe* came down upon them with all its vengeance. Why did not he put his hand in his pocket and relieve them? The hon. gentlemen opposite have complained of the duties on coal and wheat, which are not new impositions. I recollect when there were duties on those articles, and a motion made to remove them from the dutiable list, which was opposed by several hon. gentlemen opposite. The hon. member for South Huron (Mr. Cameron) said on the subject:

"We heard yesterday afternoon, with great regret, that the hon. the Finance Minister was

going to exempt coal and wheat from duties, but that hon. Minister did a wise and judicious thing in returning to the duties he proposed. He would oppose the motion of the hon. member for Glengarry to put flour and meal on the free list."

The hon. member for North Oxford (Mr. Oliver) moved for an Address, praying for the imposition of an import duty on wheat, flour, Indian corn, hops, salt and coal. Yet it is a great crime in us to tax those articles; but in those days it was all right. Now, however, it is scandalous for the hon. the Finance Minister to impose such duties, as the whole of Ontario is supposed to be up in arms against it. I have not seen the uprising. A proposition was made by the hon. member for North Oxford (Mr. Oliver) to put a duty on flour, meal and Indian corn. An amendment was made for the purpose of removing tea from the list, and admitting coal and meal free. Who voted against it? The hon. member for South Wentworth (Mr. Rymal) and the hon. members for Centre Huron (Sir Richard J. Cartwright) and North Oxford (Mr. Oliver.) The hon. member for Lambton has challenged the emigration policy of the present Government. I think, with his record as leader of the Government of Ontario, he ought to say little about the emigration policy of any Government; for a more extravagant policy was never initiated. The whole policy of the Reform party has been to bring ruin and discredit on this country so far as the emigrants were concerned. He found fault with the Sandfield Macdonald Government because it sent the present member for Cardwell (Mr. White) to England, and paid him \$5,000 as Emigration Agent; and yet, the moment his party took office, they covered the Mother Country with hungry gentlemen as Emigration Agents, such as Horrocks Cox, at an enormous expense to the Province. They talk about misleading the people of the Mother Country—see what they did. I have the Official Report in my hands, by which I proved similar statements on a former occasion. So long as they were in power, they systematically misled the emigrants, etc. Here is what the Agent of Ontario published in England:

"They will also clear from five to six acres, and they will find you the seed to plant it. The moment you get there you may begin to put your spade in the soil. I will not tell you that

every stump will be out; but I will tell you that in some of these stump lands I have seen some of the finest crops of corn growing I ever saw in my life. The Government, I repeat, will find you seed; they will find you from five to six acres of land ready for the deposit of that seed, and as soon as you have got your land, and at any time find your strong, bony arms idle, the Government will take up every day, every hour of your spare time, and will pay you the equivalent of five shillings a day for working on the colonisation roads."

That was the policy of the Reform party up to 1878. They misled emigrants from the Mother Country. But let us come down to the Blue-book. We find, in 1875, that there were 19,243 emigrants brought out at \$14 a head; in 1876, there were 14,999 at \$19.60 a head; in 1877, there were 15,323 at \$12 a head; and in 1878 they brought out 18,372, at \$9.63 a head. Now, the hon. gentleman now at the head of that Department brought out during last year 30,717 emigrants at \$5.74 a head—double the number at half the price per head. And that is the extravagant policy of this Government. It is said that thousands of emigrants are going away to the United States—driven away from this country by the National Policy. What are they going there for? It is not the Protection Tariff that is driving them out. There is more Protection there than here. The hon. member for Lambton (Mr. Mackenzie) sneers at the idea of Earl Beaconsfield being inspired by the right hon. gentleman. I do not see why our chief should not inspire Lord Beaconsfield. I think he would inspire anybody coming in contact with him. A reference has been made to the speech of Lord Derby and the speech of Earl Beaconsfield. I am glad to know that our chief is so well recognised in the Mother Country, as the foremost man in this country. I do not think it a wonder at all that Earl Beaconsfield should look to our chief for a true and correct account of what is going on in this country. He knew the right hon. gentleman could be relied on; he knew he could not tell a lie; he knew right well what kind of man he was.

MR. ANGLIN: Oh.

MR. RYKERT: I know the hon. member for Gloucester (Mr. Anglin) does not like it, but we are thoroughly satisfied with our chief, and the country is satisfied with him. Let me read an ex-

tract from the report of—of one of the Clear Grits, I was going to say—Mr. William Annand. I think his name is to be found on the other side of politics; he was the emissary sent to the Mother Country by that party. What does he say? His report is to be found at page 148 of the Report of the Minister of Agriculture of that time. He says:

"The omission of Lord Derby was, however, admirably supplied in the now celebrated speech of Earl Beaconsfield, delivered at a large public meeting, held at Aylesbury, in September last, in which his Lordship spoke of the 'illimitable wilderness' of fertile prairie land in our Dominion of Canada, where, for a comparatively small sum, the unhappy agriculturist, now unable to pay rent to the English landlord, might, in a very brief time, become the owner of a valuable estate in Manitoba or the North-West. The emphatic references of the noble Premier to the agricultural capabilities of the Dominion, necessarily created a marked impression at the time in favour of emigration to Canada—an impression which, instead of being weakened, was deepened and strengthened by the hostile criticism to which some details of His Lordship's speech were subjected. Canada was never so well advertised before."

That is the report made by the emissary sent to England by the Grit Government. I do not know that I have much more to say in reply to the remarks of the hon. member for Centre Huron. There, however, is just one other matter to which I will refer. He has advocated a novel theory. I was reading that work of that celebrated writer on Political Economy, Mr. Mill (I do not mean the member for Bothwell), and also the work of a celebrated person called Smith on the same subject; and I find the opinions there expressed far behind the times. We are told by those writers that, when the exports are greater than the imports, it is a sure sign of ruin. Well, I leave the philosophers of Bothwell and Centre Huron to settle these things; and I think that, if they spent a little more time in the Library, they might find that the whole of their theory is a theory of the past, and is now entirely exploded. The hon. members for Centre Huron and Bothwell have taken the liberty of telling us that the end of our political existence is at hand; that the handwriting is on the wall. I do not see it. I have looked around the country, and I do not see the writing on the wall. They say, look at the Ontario Local elections. I have

visited many of the counties helping my friends, and I can venture to say that in no constituency was the question of the National Policy discussed in the Local elections, except in the cities and a very few counties. Many a county was taken by the utmost debauchery.

Some HON. MEMBERS: Oh.

MR. RYKERT: Hon. gentlemen say "Oh." Well, I speak by the book, and I know the amount of money expended was very large; money carried most of the elections. Take the county of Welland. The Conservative candidate was a plain Dutchman, like myself, and he beat the Hon. J. G. Currie; a question of corruption drove him from Parliament. Then look at the South Wentworth election; it went Conservative at the last election; but, by some hocus-pocus work, it was turned around by a majority of two or three. We hear no jokes now from the hon. gentleman (Mr. Rymal); because he sees the handwriting on the wall, and he fears the next election. They will find at the next election that Ontario is sound to the core; that they can appreciate the finance measures of this Government, and, when that day does come, the Opposition will know it to their regret. I will not detain the House.

Some HON. MEMBERS: Oh, go on; go on.

MR. RYKERT: Hon. gentlemen say "go on." They need not say "go on," or "stop." I will go on, and stop, when I please. They need not think they can disconcert me; if they think so they are quite mistaken; I am not so easily put down. The hon. member for Lambton's speech was apparently made up from those he has delivered during the last two or three years; this re-hash can have very little effect on the country, and no effect whatever in the House. A more unpatriotic and unstatesmanlike speech was never before delivered by the leader of a great party. The hon. gentleman cannot address the House without resorting to all kinds of personal abuse. Every word of his remarks except a few words on the present policy of the Government, is a repetition of what is to be found in the picnic speeches, as published and circulated. A few lines were written in reference to the hon. gentleman's speech, which he delivered in Renfrew a few years ago, which are very

applicable to the speech with which he has just now favoured the House. I do not know whether he wrote these lines himself; but they are so appropriate that I think I cannot do better than to repeat them:

"He cannot make the old speech  
He made so long ago,  
For cheek and voice would fail him  
And self-possession go;  
For broken pledges come in mind  
With each remembered phrase,  
He cannot speak of 'purity'  
As in by-gone days.

"He cannot make the old speech,  
Its words would make him blush,  
The crowd would interrupt him  
With 'Cauchen' and 'Big-Push.'  
Unseated Grits would give the lie  
To each familiar word,  
He cannot make the old speech,  
It would be too absurd."

I must apologise to the House for occupying so much time; but I felt, as an Ontario man, that I was bound to answer some of the observations of hon. gentlemen opposite. As a representative from that Province, I feel that I owe a duty to the people who sent me here, and a duty to my party, to endorse the policy of the Government, which has been an inauguration of prosperity, and which, if fairly and honestly carried out, I believe will bring us a great future. I believe that capital is flowing into our country—the farmer is benefited by it—the manufacturers have, I know, gained by it. The sneer made by the hon. member for Centre Huron, because the present hon. Minister visited the manufacturers, ill became him. If he could bring himself to the level of his fellow-men, it would be a great deal better. His kid-glove ideas are such that he cannot talk to the farmers and the workingmen, but the present Minister of Finance has shown himself a man of the people. I believe that the people of Ontario recognise that the policy of the hon. gentleman will produce the greatest good to the country. How could the whole fiscal policy of the country be altered without some inconvenience? But if, after one year's trial, it requires very little modification, it shows that the principle of it is sound, and I make no doubt whatever, Sir, that under the wise legislation of the present Government we shall continue to prosper throughout the whole Dominion, and that a great future is in store for us.

MR. ROSS (West Middlesex) : I do not propose following the hon. gentleman from Lincoln (Mr. Rykert) through the whole extent of the political tirade to which he has treated the House. As a dealer in political carrion he has no rival, and I am quite willing to allow him the entire monopoly of that business. I have listened attentively to the splenetic speech with which he attacked the Reform party, and was amused to see that he had taken down his favourite scrap-book from its musty shelf, and turned over page after page in order to give a series of readings to the members of this House as an exhibition of his own peculiar trade. My hon. friend was particularly anxious to-night to, as he said, demolish the late Minister of Finance, The special mission with which he charged himself was to traduce and villify, and I think it will be universally admitted that he fulfilled his mission with remarkable ability, an ability, Sir, which he rarely displays in any other direction. He attacked the hon. member for Centre Huron (Sir Richard J. Cartwright) for changing sides, but will that hon. gentleman look back at his own career for a few moments? It so happens that somewhere between 1862 and 1863, a county in the west was represented by the same individual who now represents it, and, if the Journals of the House are turned up, it will be found that the hon. gentleman, who is now supporting the present Government with so much vigour, supported the opposite party at that time; and if you look down the votes of these years you will find that he voted along with the Reform party. The votes are recorded thus, "Rykert, Rymal, Scatcherd, Mackenzie," and so on. Has my hon. friend been more consistent than the late Minister of Finance? What change has come over the spirit of his dream? In what light has he seen the error of his way? From 1862 to 1863 he was a firm supporter of the Reform party, and now we find him sitting down in sweet communion with those to whom he was so firmly opposed in by-gone days. Is he the gentleman to point the finger of scorn? Is he the gentleman to condemn even my hon. friend the Minister of Finance, whose financial ability has been recognised by this House, and whom the whole country will recognise in the proper way? The hon. gentleman has

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dealt in reproaches against the Reform party for what he calls their political debauchery. He must needs hurl invectives against Mr. Currie, late member of the Legislative Assembly of Ontario, and against members who have made speeches in different parts of the country; but he is not entirely invulnerable in that respect himself. My hon. friend, whose inconsistency I have already exposed, had a seat in the Local Legislature of Ontario; and he is the only member who was ever brought before the Bar of that House and indicted for political immorality. I will read the report made by the Select Committee, during the Session of 1874. That Committee reported as follows:—

"1. That the Great Western Railway Company of Canada, on or about the 1st day of July, 1870, paid the said John Charles Rykert the sum of \$1,000 for Parliamentary services rendered by the said John Charles Rykert to such company in the then recent Session of the Legislature of Ontario."

SOME HON. MEMBER: It is hard to believe.

MR. ROSS: Yes, my hon. friend on my right says, "It is hard to believe," but I fear it is too true. The report continues:

"2. That one Edward D. Tilson gave the said John Charles Rykert the sum of \$100 for Parliamentary services rendered by the said John Charles Rykert in connection with the Bill to incorporate the town of Tilsonburg, in the Session of the said Legislature held in the year 1871-72, such money being paid to the said John Charles Rykert after the third reading of such Bill."

SOME HON. MEMBER: Oh, that cannot be there.

MR. ROSS: Well, the hon. gentleman can read the report for himself if he likes. It goes on further to say:

"3. That the said John Charles Rykert received from the Toronto Street Railway Company the sum of \$150 for professional services rendered by the said John Charles Rykert in connection with certain legislation respecting said Street Railway and the proposed Ontario Street Railway, in this Legislature and elsewhere."

"4. That at the time of the payment of such moneys aforesaid the said John Charles Rykert was and still is a member of the Legislative Assembly of the Province of Ontario."

I will now read from a minority report of the same Committee. There was a disagreement in regard to the circumstances under which the money was paid. The minority of that Committee held that

the money was paid for professional services. Here is what they say :

"They find that the said John Charles Rykert, while a member of your honourable House, received or was paid the following sums of money by persons who were or had been concerned in seeking or opposing legislation before your honourable House or the Committee thereof : the sum of \$1,000 by the Great Western Railway, which had been concerned during the Session of 1869 in opposing certain legislation provided in the interest of the Canada Southern Railway Company, and supporting certain legislation sought by the first-mentioned company in connection with the line of railway known as the Air Line ; \$150 by the Toronto Street Railway, which had been interested in opposing, during the Sessions of 1871, 1872 and 1873, certain legislation provided in the interest of the Toronto Street Railway Company ; \$100 by one Edward D. Tilson, who had been interested in certain legislation provided by him during the Session of 1871-2 for the incorporation of the town of Tilsonburg."

The minority and the majority of that Committee in their report agreed as to the fact of the money being paid, and my hon. friend himself is of course fully aware whether he received the money or not. The evidence is there. Now, Sir, it will be a little surprising to this House that entries like that appear on the Journals of the Local Legislature, a Legislature which my hon. friend did not adorn, and from which he would have been ignominiously expelled, but for the mistaken kindness of Mr. Mowat and the Reform party. Perhaps, however, he will adorn this Legislature, and, after seeing the error of his ways, will repent and become virtuous. I hope so, but I am afraid that the evidence which recently appeared in one of the Courts of St. Catharines will hardly support my expectation. However, strange things sometime happen in politics, and it may be that my hon. friend may hereafter be more virtuous, but I do hope that he will at least spare us the pain of referring to these Journals, and of calling the attention of the House and country to his former political degradation. I cannot go so far as to say that he was bought, but I know that the money was paid, that his political support was given, whether as a consideration for that money or not the hon. gentleman himself knows. Then my hon. friend goes on to charge the Reform party with decrying the credit of this country. He takes the ground that, because we are not satisfied with the National Policy, because we choose to

say that it is not calculated to advance the interests of this country, we are therefore unpatriotic and disloyal. The hon. gentleman's charge in that matter is scarcely worthy of consideration. It is not to be admitted for one moment that the Conservative party monopolises the entire loyalty and patriotism of this country. The ground we take in regard to this National Policy is that it has not fulfilled, and that it cannot fulfil, the promises made in its behalf when it was first introduced. I deny that we decry the credit of the country, but we do say that the prosperity which was promised because of the introduction of the National Policy has not come, that the workmen do not receive better wages as they were promised, that business has not improved as we were promised, at least we have no substantial evidence of its improving. We say it remains with the hon. gentlemen opposite to show that the business of this country has improved, and that greater prosperity does ensue because of this policy. Why, it was the hon. gentlemen themselves that first began to decry the standing and prosperity of the country. Let me refer in proof of this to the resolution introduced by my right hon. friend the leader of the Government in connection with this question. It reads as follows :—

"That this House is of the opinion that the welfare of Canada requires the adoption of a National Policy, which, by a judicious re-adjustment of the Tariff, will benefit and foster the agricultural, the mining, the manufacturing and the other interests of the Dominion ; that such a Policy will retain in Canada thousands of our fellow-countrymen now obliged to expatriate themselves in search of employment denied them at home, will restore prosperity to our struggling industries now so sadly depressed." Now, you will find in almost every line of that resolution evidence of the country being decried. If you will go back to 1876, when the first resolution in regard to this question was introduced, you will find the same sentiment prevails, and did there not come up from every platform in Ontario a dolorous wail from my right hon. friend about the depressed industries of Canada, about the suffering workmen, about the expatriated citizens, and about the poor hard-working, ill-fed labouring men ? In the Eastern Townships we were told that from the emerald lakes and the green fields came up the cry, "Sir John, come over and help us." But



so far from the Reform party decrying the country or pointing out its depressed condition, they took the ground that the depression was overstated, and that, moreover, it was a season of general depression in the United States, Great Britain and continental Europe; they took the ground that these depressions were periodic, and that, after a while, in the natural course of things, the depression would be removed and the country become prosperous again; and I believe that under the circumstances it would have recovered its prosperity, in the natural order of business, far more effectually and speedily than it has under the treatment it is receiving at the present time. Is it unpatriotic for us to take the ground that the country is not so depressed as it is represented? If that is what my hon. friend means by the term unpatriotic, then I wish to be considered unpatriotic. I believe that the depressed condition of the country has not been relieved by the National Policy. I believe that if the depression does pass away it will be not because of the National Policy but in spite of the National Policy; that the improvement in trade in the United States and elsewhere, with the good crops with which Providence has favoured us, will give an impetus to trade in the Dominion in spite of the depressing effects of the National Policy; but that prosperity, I am bound to say, would have come sooner had not the hon. gentlemen opposite proposed to tamper, as they have done, with the ordinary rules of business. We are charged with being unpatriotic; for what? because we have supported an economical Government.

MR. RYKERT: Hear, hear.

MR. ROSS: My hon. friend says, "hear, hear." Perhaps he understands economy just as well as he did political morality. But are we unpatriotic because we have supported that system of trade that prevails in England, and have refused to copy the system of trade which prevails in the United States? Are we unpatriotic because we were going on with the public improvements of this country just as fast as the means of this country would afford? Are we to be considered unpatriotic because we refuse to copy the American Civil Service system and dismiss whole shoals of public employes at every change of Govern-

ment? Am I to understand that patriotism means going up and down through the country like mountebanks, making promises that can never be fulfilled in the nature of things; deluding the workmen with the promise that wages will inevitably rise; deluding the farmer with promises of prices that he cannot realise? If that is the patriotism meant by my hon. friend, then I wish to be considered unpatriotic. Let me show how the patriotism of my hon. friends opposite is regarded by a certain Political Economy Club which sprung up, strangely to say, very recently in Montreal, under the wing of some of the leading Conservatives there.

MR. McCALLUM: No, no.

MR. ROSS: My hon. friend says "no." Well, he was not there at the time. I am not charging him with being one of the chickens that went under the wing of that political club. He has not got that far yet, only so far as to get a cheap supply of coal for his tugs. Why, under the very wing of the hon. member for Cardwell (Mr. White), in the city of Montreal, within a few doors of his *Montreal Gazette* office, we find a club organised called the Political Economy Club, and in their first manifesto they make use of the following words:—

"The Protection of home manufactures against British competition, by the imposition of heavy Custom-house duties, and the appointment of Sir A. T. Galt, the most prominent independence advocate in Canada, to negotiate commercial treaties with both France and Spain, can leave no possible doubt in the minds of intelligent observers that the policy of the present Government is to free themselves more and more from the thralldom of the Colonial system."

That club takes the Protective system inaugurated by the hon. gentlemen opposite as an evidence that the Colonial connection with the Mother Country is about to be severed, and claims to see in the appointment of Sir A. T. Galt as a negotiator of commercial treaties an evidence that the present Government are opposed to our Colonial system, and looks at the sympathy which is created by the assimilation of our system of trade to that in the United States as a proof that we are approaching nearer to the institutions of the United States, and when that assimilation is complete Canada will be cut loose from the Mother Country. The

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hon. gentlemen may draw such conclusions as they see fit from the manifesto of this club, but the fact remains that the club based their manifesto on the policy of the hon. gentlemen opposite. Whether these gentlemen are identified with this club I am not prepared to say, but we know that it receives its entire sympathy and support from gentlemen professing Conservative principles. We objected last Session to the National Policy, because we believed it would alienate the sympathies of the Mother Country from Canada. We were not mistaken in that opinion. The Canadian Tariff was denounced in every English newspaper, by every English statesman, by English Boards of Trade, showing conclusively that the feelings of Englishmen are aroused and their affections alienated from this country. We objected to the Tariff on another ground, that it would bear unevenly upon the Provinces. Hon. gentlemen must know that there are certain features in the Tariff which have a tendency to alienate one Province from the other. When we entered into Confederation, it was on condition that the interests of the whole country should overbear the interests of any particular Province, and that no Province should be favoured to the detriment of the whole nation. If a fiscal policy is introduced, by which one Province has special advantages over another, or is burthened more than another, then the original contract is broken and injustice is done. Inasmuch as the Tariff has this effect, it does interfere with the harmony which should exist between the Provinces. On what ground has this agitation in regard to the Fishery Award been taken up in the Maritime Provinces? Simply because they feel that this Tariff presses upon them unduly, and it is as an offset to the injurious effects of the Tariff that they are seeking a certain portion of this award. Let me give you a fact or two, which will illustrate the working of the Tariff. The percentage which Ontario paid upon dutiable goods she consumed last year was increased by  $2\frac{1}{2}$  per cent.; the Province of Quebec,  $1\frac{1}{4}$  per cent.; Nova Scotia,  $2\frac{1}{2}$  per cent.; New Brunswick,  $3\frac{1}{4}$  per cent.; British Columbia,  $2\frac{1}{2}$  per cent.; Prince Edward Island, 2 per cent. So unevenly does this Tariff rest upon the various Provinces that the

Customs' duties paid by Ontario have increased by \$1.16 per head; those paid by Quebec, only 27c. per head; New Brunswick, \$1.40 per head; British Columbia, \$1.80 per head; Prince Edward Island, 27c. per head. The Tariff presses very unevenly. In one case the duty is increased to \$1.16 per head; in another case it is increased to \$1.46; in another case 27c.; in another case \$1.80; in another case it is only 9c. You will see from the very nature of things, that a Tariff that presses so unevenly upon the consumers of the different Provinces must have an injurious effect upon the political sympathies of the people. Suppose that the people of Ontario become restive and say that your Tariff has increased our duties to \$1.16, while it has only increased the duties of the people of Quebec 27c. What reply can you make? There can be no reply only this, that any Tariff which would press so unevenly iniquitous in the very nature of things. Now, who pays the coal tax? Certainly not the people of the Maritime Provinces so much as the people in the Province of Ontario, who import their coal from the United States, and, in order to accommodate, as much as possible, the people of Nova Scotia, the 50c. tax was increased to a 60c. tax per ton. The people of Ontario will be disposed to say, we have to pay 60c. a ton on the coal we consume, and yet there are people in this Dominion entirely exempt from this obnoxious tax. What right have we as members of this body politic to be burdened with taxes which do not lie equally upon every section of the body politic. In the same way with the flour tax: It is mainly the people of the Maritime Provinces, who, as a matter of necessity, bring their flour as return cargoes from the United States, who have to pay the obnoxious tax of 50c. per barrel on flour. The Province of Ontario is to a certain extent, though indirectly, exempted from that tax, and the people of the Maritime Provinces may say: We have to pay this obnoxious tax, in regard to which a large portion of her Majesty's subjects are exempt. I will take another illustration. The Great Western Railway of Canada is to a large extent the great artery for trade in the Province of Ontario. That railway paid a coal tax of about \$50,000. The increase of the Tariff to the extent

of 10c. per ton will increase the coal tax of the Great Western Railway by \$10,000. That means increased freight and a reduction of profits. In the Maritime Provinces, railways are not of the importance they are in Ontario. Are we not, therefore, discriminated against in regard to this matter? Are we not correct in saying that the tendency of the Tariff is to destroy the harmonious feeling which should exist between the various parts of this great Confederation. Its direct tendency is not, as it should be, to bind together the different Provincial interests, but to alienate them, and to set up a standard of taxation in one Province which does not apply to another Province, and to leave the less favoured Provinces to complain that they are not treated fairly under the system of Confederation into which they have entered. Another charge against the Tariff is that it does not bear evenly on individuals. This of itself, if proved, would be sufficient to condemn it. The only ground on which a revenue can be fairly collected is that, as near as may be, all classes of Her Majesty's subjects will be obliged to contribute equally towards it. Now, let us examine this Tariff somewhat in detail, and see whether all classes of Her Majesty's subjects derive equal benefit from it. Take the farmer to begin with. He was promised, under this Tariff, a home market for his produce. On every platform in Ontario, the farmer was told that, under the existing system, he was obliged to send his grain to Liverpool in order to find a market. The hon. the Minister of Railways in the city of London told the farmers of my county that under the present system they were obliged to send their produce 3,000 miles in order to find a market, but that under this National Policy they would find a market for their products at home. Well, has this been realised? Look at the returns laid on the Table of the House by hon. gentlemen opposite, and what will you find? You will find that, for the last six months of 1879, we exported \$2,500,000 worth more of animals and their products than were exported during the previous six months. And not only has there been an increase in the exportation of animals and their products, but we have actually exported nearly \$5,000,000 worth more of the pro-

ducts of the soil during the same period than we did during the previous six months. The farmer has to go to Liverpool to find a market for his produce as he had before. He was deluded by hon. gentlemen. He was promised a home market, but did not receive it. I remember that, when hon. gentlemen opposite were agitating the National Policy in my county, they told the farmers: Your millers do not need to buy your farm produce; they can keep their mills running by importing cheap American grain; but, when we get into power, we will put a duty upon this wheat, and your millers will have to pay you the difference of the duty which we impose; you will have a market and American wheat will be kept out. But what have hon. gentlemen done? Instead of fulfilling the promises they made, they ostensibly put a duty upon American wheat, and then threw wide open the doors to American wheat in order that our millers may grind as much of it as they choose. This is deluding the farmers from beginning to end. If hon. gentlemen had felt disposed to fulfil the promises they made, they would insist upon the exaction of the duties imposed. We were promised a duty of 15c. a bushel on barley, and the farmers were told that that would enhance the price of barley. The duty was put on, and how much has the price of barley been enhanced? In what particular item has the farmer got one cent more for any product of the farm or dairy in consequence of the adoption of the National Policy? I defy hon. gentlemen opposite to point to one single instance in which the farmer in Ontario has been advantaged to the extent of a shilling by the National Policy. But I can show you where disadvantage has accrued. On every article the farmer consumes the duty has been enhanced. The cottons he uses have been enhanced 20, 40 and 45 per cent. His woollens are enhanced in a similar proportion.

MR. FARROW: No.

MR. ROSS: I say yes; they have been advanced. Notwithstanding that the dissent of my hon. friend from North Huron comes like a voice from the tomb, I can tell him that I have looked at the papers laid on the Table of the House, in which it appears that the duties on woollens have been enhanced some 8 or 9

per cent. as compared with the previous year. The hon. gentleman will find that the duties on every description of woollens are enhanced. He will also find that the coarser grades of woollens pay a higher duty than the finer woollens. I repeat my challenge, that in regard to no article sold by the farmer has he received any Protection, and in regard to every article consumed by him the price has been enhanced, from the furniture with which he adorns his parlour to the hardware with which he repairs his farming implements. In every direction the burdens imposed on him have been increased, and for these increased burdens he has received no equivalent. Hon. gentlemen were the friends of the workingman in the hour of his depression. They promised him better wages and constant employment.

AN HON. GENTLEMAN: Hear, hear.

MR. ROSS: Hon. gentlemen admit it. Well, here is a statement made by the hon. the First Minister at the Amphitheatre at Toronto:

"We must grow up manufactures by a judicious system of Protection, and, if we do, the labourer and the workmen will get employment, the capitalist will seek the assistance of the workman, and there will be a community of interest and a community of action. If we have only a sensible system of Protection, if we have only a common-sense system of law, we will find that the workingman and the capitalist will work together, and the country will blossom like a rose."

Does it blossom? Can my hon. friend the Minister of Customs point to a single blossom—even to a bud? Can he detect its fragrance in the air? I cannot, for one. Does the workingman of the city of Ottawa smell the perfume of this beautiful blossom, which was to grow out of the National Policy? Does the hon. the Minister of Finance see it bloom and blossom? If he cannot, no individual can, for his imagination is so florid that he can see further into the future than any of us can pretend to see back into the past. Has my hon. friend for Centre Toronto (Mr. Hay) seen it blossom? Let us see what he said in the Amphitheatre on that occasion. It was as follows:—

"His hearers might depend upon it that the working classes were the bone and sinew of the community, and the reason the meeting was called was because more workmen were wanted in the country (cheers), and there was a desire that they should be better paid and have more work."

And on the eve of the election he issued the following placards:—"Vote for Hay," "More employment and better wages." That is the statement made by the hon. gentleman in the city of Toronto, on the 17th September. Did the workmen of the city of Toronto realise that? Have the workmen realised it in any other part of the country? We know, as a matter of fact that, since the National Policy has come into operation, wages have actually declined, and the cost of everything which the workingman consumes has increased. He was promised by my right hon. friend a reduction of duty on some articles, and he was promised an increase of duty on others. They promised that there should be an increase on cottons, woollens, etc., and a decrease on sugar, coffee, and so on.

AN HON. GENTLEMAN: And on silks and satins.

MR. ROSS: Yes, on silks and satins, things of which the workingman requires a great deal. Have these promises been realised? In some respects they have. So far as the increase on cottons, woollens, and linens are concerned, they have been, but he pays as much for his tea, coffee, sugar, etc., as ever he did, and the trouble is he does not pay it into the Treasury, but into the pockets of those who do not require it as much as he does himself. Can my hon. friend show me where the workingman has been improved by this policy? Have not all the promises made to the workmen been broken, not only in whole but in detail? They have no better wages, no more employment; expatriation now as before; families going to the United States as before; people glad to get away from the embarrassing influences of the National Policy, knowing that, as long as they remain here, they will be pursued by the Collector of Customs, and that everything they require for household or family purposes will be heavily taxed. Sir, the workmen of this country have been deluded. We say that the hon. gentlemen have broken their promises, and we bring them to task for having broken those promises. We wish to tell this country that they have promised the workmen more employment; they have promised them better wages; they have promised prosperity; and that, when they made these promises, they knew they could not perform them. When they promised

the workingman more employment, they promised what the right hon. gentleman was obliged to refuse them the other day. The lumbermen were promised great advantages from the National Policy. Have they realised those advantages? Not at all. The manufacturers were promised great advantages, and I venture to say that they, and particularly the manufacturers of woollens, and cottons, and sugar, have received all the advantages which the National Policy affords. But that is a special, not a national advantage. The National Policy has built up monopolies, as we said it would, in favour of a few sugar refiners, and woollen and cotton manufacturers, and some tug-boat companies. Tug-boats plying between Canadian and American ports, or plying in International waters, are exempted from the coal duty, but inland boats must pay 50c. a ton on the coal they consume. The Tariff should not give special advantages to one over another. The man who plies his tug-boat on a canal should have the same privileges as one who has tug-boats anywhere else. Take the case of the corn duty. The farmer is subjected to a duty of 7½c. upon corn. He gets no rebate, but the manufacturer of starch gets a rebate of 5c. on every bushel of corn he uses for manufacturing purposes. Is not that unfair? Is not that enough to condemn the so-called National Policy? The hon. gentlemen cannot work their own Tariff. On their own admission, it is a failure; and the people have to suffer. So much for the special advantages supposed to be conferred by the Tariff. They say it has been an advantage, in that it has revived the West India trade, a trade which seemed to languish under the Administration of the hon. member for Lambton (Mr. Mackenzie). They say this trade has been revived. I have taken the trouble to enquire into the extent of this revival; and I find that it amounts to this. I find that a large portion of this revival is merely a transfer of the trade from Great Britain to the West Indies. I do not see any value in that. A Canadian vessel would sail to Great Britain with a cargo of produce or cattle, and she would bring a return cargo of sugar. Now, under the present system, instead of returning with a cargo of sugar, she has to return with something else, or

simply with ballast. It just amounts to this, that a return cargo is brought from the West Indies, instead of Great Britain, by vessels which go to the West Indies; therefore, this is merely a transfer to the West Indies from Great Britain. They think perhaps that this is an advantage; but I can see no advantage in it. Even, however, if it does amount to an advantage, what is the extent of it? Under the régime of the hon. gentlemen opposite, we imported in the last six months of 1879, 4,721 tons of sugar from the West Indies more than we did in the last six months of 1878. It resolves itself into this, that we have imported extra sugar enough to load ten small schooners, giving perhaps 100 to 200 men employment; and, because we have this little extra trade of 4,721 tons of sugar, the hon. gentlemen say that we are on the high road to prosperity, and that the halcyon days of peace and plenty are dawning upon us. I do not see in that such an advantage. I do not see the great prosperity on which they pride themselves. The same thing may be said with regard to the tea trade. I have examined the statistics in reference to that, and I find that in the last six months of 1879 we imported 470 tons of tea, from China and Japan, more than was imported in the last six months of 1878, and, on this account, my hon. friend the Minister of Railways burst into extasies over the revival of the China trade. The hon. gentleman knows we do not import directly one single pound of tea from China; he knows that not a pound of tea is imported by a Canadian importer, but that it simply comes from a Boston or New York house; it is simply a transfer of importation from ourselves to Boston and New York merchants. But, even supposing this tea did come from China direct, would that amount to a revival of prosperity? It would give employment to a vessel of about 500 tons, manned by ten or fifteen men. Why, Mr. Speaker, is this the unprecedented prosperity which they tell us about? "Large oaks from little acorns grow." Hon. gentlemen can build up, with one cargo of tea, a whole nation's prosperity. A few cargoes of sugar from the West Indies—and Canada is prosperous and happy. But the mole-hills they have exalted into mountains

are only mole-hills after all. In their own conscience they know they are deceiving the country, as they did in 1878. They say that commerce and shipping have revived. Perhaps there is a great revival in shipping; but, in the *Monetary Times*, I find the following statistics: In 1868, Quebec built thirteen vessels, tonnage 10,928 tons, value \$434,680. In 1879, Quebec built not thirteen vessels but two vessels, tonnage 2,960, value \$105,971. Is not that reviving commerce and shipping, and giving employment to ship-carpenters, cordage-makers, and so on? That shows the revival of commerce with a vengeance. But I have more to say on this question of commerce; so far from increasing it has decreased, taking the returns laid upon the Table of the House. I there find that in the last six months of 1878 we exported and imported \$8,000,000 worth of merchandise more than was exported and imported in the last six months of 1879. I am adding the imports and exports together in both cases; for the whole bulk of the commerce of the country represent the total employment of shipping, and railways, and forwarders, and employes of docks and harbours. Well, then, I say that the exports and imports represent \$8,000,000 for the last six months of 1879 less than in the last six months of 1878. Does that mean an increase in the commerce of the country? Does that add to the labouring men's wages? Does that add to the wealth of shipowners and railway companies? The modes and means by which hon. gentlemen opposite try to prove that the National Policy is a benefit are so absurd that they only need to be pointed out to be condemned. It is absurd to say that, if the duties are increased on commodities, we need not pay any more for those commodities than formerly. If it is true, as alleged, that \$7,000,000 are taken out of our pockets more than formerly, it is quite clear that that same sum cannot be taken out without increasing prices. If the woollen duty is more than it was it must add to the price of woollens. To tell the people that they are paying a higher revenue now than formerly, and that still their goods do not cost them more than formerly, is trafficking in the credulity of the country. Hon. gentlemen say: But prosperity cannot come in a day; We must have time.

But, Sir, who was it said it did not require time? Who was it said stocks would go up and prosperity come, and the clouds be uplifted immediately on the defeat of the late Government. The hon. the leader of the Government, speaking at Parkhill, said:

"If the Conservatives gained a majority there would be a return of confidence at once, and even before the new Tariff could be introduced the manufacturers would have such hopes for the future that they would be employing more men, circulating money and increasing their business, all of which would reflect beneficially on the farming community. The moment a Tariff, the effect of which was to keep Canada for the Canadians, was introduced, confidence and prosperity would return."

The did not want us to wait then. All they wanted was that they should get in power. The fact of the Liberal party being defeated, they said, would restore prosperity and a general advancement in the commercial interests of the country. All that was wanted was to give them the reins of power. That was their own promise, in their ante-election speeches. But, now that they are called upon to fulfil these promises, they go on their knees, and say: We are not ready for our trial yet; we were ready before we attained power; we could make strong promises then, but now that you ask us to make those promises good, we are not prepared; it is too soon; postpone the day of judgment; do not condemn us; it is true that, before we came into power, we said there would be a general "hum" and a general increase of business; now we are in power we know we have not done what we promised. They ask for time, and their asking for time proves that they know that the prosperity they promised has not been realised. We have the evidence from their own mouths with which to condemn them. We hold them up as having violated their promises—in whole and detail—to every individual in the country, from the seaman on the deck to the simplest lumberman in the district woods, from the humblest housewife to the richest millionaire. We hold them responsible for having violated all their promises, and if the opinion of the honest people of this country were asked now, it would be very different to that which was given some time ago. I do not wish to follow the hon. gentleman who preceded me, at greater

length. I wish, however, to make a remark as to the Tariff changes of the hon. the Minister of Finance. It was formerly held by an hon. gentleman opposite that one of the principal features of the Tariff should be permanence, and that it was wrong to make any changes. I remember that, when my hon. friend the member for Centre Huron (Sir Richard J. Cartwright) brought down his Budget and announced some changes to be made in the Tariff, the hon. the Minister of Railways denounced them, and contended that they would be demoralising to trade, and interfere seriously with the business of this country. But what do we find now? A Tariff in which there are over one hundred changes. Articles are classified in one form and then put in another form. How are we to know what this thing is if every year this Tariff, which was a marvel of excellence, is to be changed. It was marvellous last Session, and I suppose it is marvellous still, even in its much altered condition. The Tariff is not what it was last year. There are different articles on the free list that were dutiable last year. How are we to know what my hon. friend means by his National Policy. If he continues to change it during the next four or five years as he has changed it this year, perhaps it will resolve itself into "incidental Protection;" perhaps we will get back to Free-trade, the point at which the hon. gentleman started in his own Province. Perhaps he takes this way of settling back to his previous opinions, which, I have no doubt, his better judgment apprises him are right and proper still. But this marvellous Tariff had to be amended. The emendations have been submitted to us, and some of them are surprising in their nature. The hon. member for Lambton (Mr. Mackenzie) referred to the duty on wool. There is no doubt that duty was imposed to try and convince the farmers that their interests would not be overlooked. Does the hon. gentleman (Sir Samuel L. Tilley) suppose that there is a single farmer in Ontario so dull of comprehension as not to know that that duty was a delusion and a snare; that the kinds of wool mentioned are never imported into Canada? I venture to say that the hon. gentleman will not collect 15 farthings from that source during next year. Why should

we send to any other part of the continent for wool grown at our own doors? It is one of the most transparent devices conceivable to delude an honest people by promising them the substance, and fulfilling that promise with a shadow. Hon. gentlemen opposite claim that the National Policy is as popular as it was when brought down in 1879, and they say that, as a result of that policy, everybody is hopeful—that the lumberman is hopeful, the farmer is hopeful, the manufacturer is hopeful, and who is not hopeful? Anyone who followed the hon. the Finance Minister through his Budget Speech, must have seen that one gentleman at least was not hopeful. Never did any Minister bring down a Budget to a legislative body that gave such evidence of depression as the hon. the Finance Minister himself. If he was hopeful, his voice, manner and gesture did not indicate it. On the contrary he gave the most unmistakeable evidence that, if he had possibly relieved the depression of the industries of the country, he was himself labouring under some kind of depression. We have indications that the National Policy is not as popular as the hon. gentleman maintained it is. We had a general election in the Province of Ontario last June, and that election to my mind had a significance. Let me quote from a few speeches made during the campaign to substantiate my position. Mr. Meredith, leader of the Opposition, took the ground that the National Policy was in issue—one of the great issues before the people. These are his words:

"One reason why the Ontario Government should be condemned was because they had taken a determined stand against the National Policy. He believed that, when the 5th of June came, they would give the same verdict they gave on the 17th September."

Is there any hon. gentleman who was a higher authority on the popular cry in Ontario than the leader of the Opposition? But we have some further evidence as to what the question at issue was; some other gentleman gave an expression of opinion on the subject. On nomination day in Toronto, the Hon. Mr. Morris said "it was clear, beyond all peradventure, that the battle must necessarily be fought on the same line as it was on the 17th September." Then, here is what the

Toronto *Mail*, a good authority on some questions, said: "If they desire fair play to the National Policy, they must shut their ears to the charmer, charm he never so wisely." Then the hon. gentleman opposite (Sir Samuel L. Tilley) at the amphitheatre, in Toronto, said, referring to his Tariff: "Let them as electors do their duty in such a way as to sustain this policy." In the *Mail's* report of Sir Charles Tupper's speech at Hamilton, he used the following words:—"He knew too well that at such a crisis they were so patriotic that they would sustain the unanimous decision rendered by the country on the 17th September last." But they did not do so in the city of Hamilton. There there was another gentleman—I think hon. gentlemen opposite know something about him—Sir John A. Macdonald, who said at Toronto: "In opposing Mr. Mowat and his Government they were fighting the battle of the National Policy just as much as they did on the 17th September." Here we have this statement, in strong and emphatic terms, from the leader of the Opposition in Ontario, and we have it again from the hon. the leader of the House, that the issue on the 5th June last was, as far as the Conservative party was concerned, the same as on the 17th September. What interest had my hon. friend from St. John in the Local Politics of Ontario? Was it necessary for him to air his eloquence in Toronto in order that the electors might become acquainted with him? Not at all. He was going to reach into their pockets by means of the Customs Tariff, and wished to bolster up the National Policy. What did he know about the Local politics of Ontario? Perhaps as much as he knows about the politics of Timbuctoo. Was it necessary for the hon. member for Cumberland to go and interest himself in the politics of Ontario? Not at all. Those hon. gentlemen united and went to urge the people that the battle must be fought out on the same line as in the previous September. But the electors understood that question perhaps as well as they did. Take the city of Toronto. In September the majority was 1,826; on the 5th June it was 125. This was a reaction, but perhaps the hon. gentleman would call it sustaining the National Policy. In the city of Hamilton, we find that on the

17th September the Conservative candidate had a majority of 498, and on the 5th June the Reform candidate was elected by a majority of 62.

MR. MACKENZIE: There was no knight there.

MR. ROSS: The night had come and gone and it had become clear day. There was a knight before the day of election, but the sunshine succeeded it. Do hon. gentlemen feel now that there is a reaction in the Province? They chose the battle cry themselves, and on that cry they went to the country and flung their flag to the wind, and asked the Conservative party to rally around it and sustain the National Policy. But from the different counties of Ontario came back the answer, clear and unmistakeable: We want nothing of your National Policy." The people were unequivocal in their expressions of condemnation. But we need not disturb the few years they will sit on the Treasury Benches by forebodings of premature decline; we need not embarrass them thus early in their career; their sad fate will overtake them quickly enough.

MR. PLUMB: Hear, hear.

MR. ROSS: My hon. friend from Niagara (Mr. Plumb) has an exceedingly large margin in his county. I think I can count it on the fingers of my right hand, but he will find it growing smaller by degrees, and beautifully less, until his limping hexameters will be heard no more in the land. My hon. friend had better beware. There is a day of reckoning, and even the sublime effrontery with which he addresses the House must come to an end. The grave, which I know he is not prepared to fill, is already dug for him. We may be called at any moment to chant his *requiem*, and may even now, I think, regard him as politically dead. I will not trouble the House with many further remarks. I wish to say that we must remember that the resources of the country are limited; that our 4,000,000 of people can be so overburdened with taxation as to depress their prosperity and interfere with their comfort; and I warn hon. gentlemen opposite that, unless the system of extravagance which they have inaugurated, for it stands upon every page and in every line of every page of their Estimates, is curtailed in some way, we will be so far involved, we will be so burdened with taxation that the pros-



perity of the country must be crippled, and our resources, great as they are, overtaxed. To burden this country with an increased expenditure for Public Works beyond what it is able to bear is, to my mind, a serious matter. In 1876, I moved a resolution in connection with the Pacific Railway, asking the Government, of which I was a supporter, not to go on more rapidly with that line than could be done without increasing the burdens of taxation. I think hon. gentlemen opposite will be recreant to the trust reposed in them, if they so overburden the country with taxation, in any shape or form, as to cripple the resources of this people, and posterity will execrate the day when the Conservative party was placed in power. There is another subject in regard to which I must warn the hon. gentlemen. If they inaugurate a system of trade which is retaliatory in its character, as the present is designed to be, our neighbours will be disposed to retaliate in kind, which would alienate us and disturb those close commercial relations which exist between us. I tell the hon. gentlemen opposite that they are inflicting an injury upon the trade of this country, which an opposite policy will not, perhaps, remove. We prospered under the Reciprocity Treaty. Why? Because we had uninterrupted commercial relations with the American States; the prosperity we gained was due to the freedom of trade between the two countries. Can the hon. gentlemen hope to be wiser than the Parliament of Canada was at that time, and can they hope for prosperity from an opposite course? Can they hope, by damming up the channels of trade—by interfering with every branch of trade and commerce—with every useful occupation and calling in the Dominion—can they expect, by a vicious system of Tariff, to develop the resources of the country, and add to that prosperity we should secure by a free system. It is not possible by the very nature of things. The more articles you tax, the more vicious you make it, the more you recede from the safe principles of sound economy, and the more you fly in the face of those lessons taught by the great political economists of England, and, if hon. gentlemen opposite are wiser than the gentlemen who taught the people of England political economy, we are very much mistaken as to the sources of England power. I

Mr. ROSS.

warn them, in the first place, against abnormal expenditure for Public Works; and, secondly, against the diversion of trade from natural to artificial channels; and, thirdly, against any tendency to disturb the peace and harmony prevailing among the different Provinces. We have a great territory, extending between two oceans, capable of sustaining a population of thirty or forty millions. We have a country of great resources, which we can rightly and honestly advertise in the market of Europe as one in which the emigrant will find a comfortable home. If we so hamper our commerce with vicious regulations that the emigrant will find no great advantage on this side of the Atlantic, what inducement will he have to settle amongst us? If everything he consumes is taxed more heavily here than at home, his disposition to settle among us may be changed, and we shall not be able to secure that large addition to our population which, under a more favourable system of trade, we might obtain. What hon. gentlemen should do is by every possible means to make this a desirable country to live in, by a better system of Customs regulations. I hear hon. gentlemen cheer ironically the words "cheaper country." I mean that condition of things in which business is not wantonly interfered with, and the wheels of commerce clogged by vexatious Customs regulations. This is the true protective policy, and, so far as hon. gentlemen opposite are disposed to encourage a policy of that kind, I am heartily with them, and disposed to sustain them at every stage. So far as they wander from what I believe to be sound principles of political economy, as regards expenditure, so far as they are disposed to hamper trade and interfere with free commerce between Canada and the neighbouring country, they will find in me an uncompromising opponent, and disposed not to accept the remedies they propose for the disease in the body politic, one not disposed to give them any countenance in their attempt to delude and mislead the people of Canada.

Mr. McCALLUM moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

House adjourned at  
Ten minutes before  
Twelve o'clock.

## HOUSE OF COMMONS.

*Monday, 15th March, 1880.*

The Speaker took the Chair at Three o'clock.

## PRAYERS.

## SUDDEN DEATH OF MR. HOLTON.

SIR JOHN A. MACDONALD: Now that the presentation of petitions is finished, it is my painful duty to rise to ask this House to adjourn. It is with heartfelt regret and sorrow, amounting to a shock, that I heard yesterday that an old and respected member of Parliament—one who has been with us for years—is no more. It seems but a few hours ago that we had seen him full of life, full of vigour, in the maturity of his judgment, in excellent apparent health, and carrying out from day to day the useful career which he had promised to himself when he first entered Parliament, and which he had faithfully carried out to the end. I feel, Sir, that the motion that I make as an humble testimony for my own part of the regard which we all feel for him, comes with peculiar fitness from myself. We had never been politically of the same party. We have always been drawn up in Parliamentary conflict in opposite ranks, but during all that time, though conflicting, we had, I am proud now and happy to say, and happy to remember, uninterruptedly a great personal friendship. I knew and valued his good qualities, and he, perhaps, in some degree returned the affectionate regard which I always had for him. It was arranged across the floor, and it pains me now to repeat it, that he entered into that discussion that we should put an end to the practice of adjourning the House on the death of any one of its body except in very exceptional cases. I, Sir, think this is an exceptional case. It is not the ordinary one of a member, one of our body, disappearing in the course of nature; it is not the ordinary case of our knowing that a place we have seen occupied by him will hereafter be seen occupied by another; but it presses upon me in this case as if we had seen him fall, as if we had seen him die in the chair, which I now see vacant before me. I feel the shock so greatly, and I feel that every member of this House also is so struck by it, that we could not, for the soul of us, profitably

enter into any discussion, into any Parliamentary business, with this recent bereavement pressing upon us. I have known that gentleman for many years; I knew him as a business man before he entered Parliament; I was connected with him in business relations; I had most intimate business relations with that gentleman, and I can vouch for what all the world vouched for, the unswerving uprightness and honesty of purpose of that gentleman in every relation of life, private, social, commercial, business and political. He, Sir, held a unique position in the Parliament of Canada. Although a strong party man, and sometimes, perhaps, from my party point of view, too strongly actuated by party motives, he never wavered from the probity of his judgment and his warm affection for his country. He held himself aloof from the bitterest struggles of party, and we all, on this side, looked with confidence to him in matters where the honour, the dignity and the prosperity of this Dominion, and of the Province with which he was connected before the Dominion existed, were concerned. He was holding a position in which his disinterested usefulness for the country was more distinguished than at any other period of his life. He had survived much of the hardened bitterness of party conflict. He thought only of the interests of the country, and he prided, and justly prided, himself on being a great Parliamentary authority. His utility to this House, his utility to every member of this House, and his usefulness to the country in that regard, was almost if not quite unequalled in either branch of the Legislature. I speak, of course, not in a party sense, when I say that his mind was an exceedingly Conservative one, especially that affecting vested interests, affecting private rights, he was always found protecting those interests and those rights, and he resisted any and all attempts to override them by any revolutionary, any hasty, any heroic steps, if I may use a mediæval expression. He always leant towards the side of protecting the rights of property. As we all know, he fought the battle of freedom, political and constitutional. I know what the regrets of his political friends in this House must be. I know how useful he was to them. I know what a great loss his death is to

them. But I say, from the sincerity of my heart, that I think the loss to the whole House is as great as the loss to his own political friends. And if it be a loss to this House, how great, how serious must be the blow to his personal friends. I have known him so long, nearly, I may say, an age, knowing him from youth upwards. He was one of the last, if I may use the expression, of the old party, which used to meet years and years ago in the old Parliament; and I feel, to use the language of Edmund Burke, "what shadows we are and what shadows we pursue." Sir, I think we ought to make this an exceptional case. I feel that were any member to rise to-day and enter into any discussion of importance, he would see that empty chair; he would think of that kindly countenance, and he would feel with me that we ought to show respect to his memory by adjourning the business of this House to-day.

MR. MACKENZIE: I may say, Sir, that everyone will join heartily in the very just remarks made by the hon. gentleman opposite, and especially those who have long felt Mr. Holton's influence and knew his excellent personal qualities. It is impossible for those who have long been his associates in public life, to estimate the great loss that has been sustained by his own party, by the whole House and by the country. I look upon his death at this moment, as it would be at any time, as a national calamity, and I feel that anything we can do, as his old colleagues in this House, to convey a sense of the impression we entertain of his great worth to the country, and especially towards his bereaved family, should be done. I feel myself utterly unable to say—

[The hon. gentleman was here so overcome as to be unable to proceed.]

MR. LAURIER: If in view of this great calamity, this great national calamity, I were permitted to speak with personal feelings, I would say that there is no one in this House who has more than myself reason to lament the death of Mr. Holton. It was my privilege when I was a very young man to become a friend of Mr. Holton; and from that moment up to the moment of his untimely death, many have been the occasions I have been able to appreciate the many

noble qualities which endeared him to all those who came in contact with him. Members of this House who knew him only as a public man, who could judge of him only from what took place on the floor of the House, could appreciate his noble public qualities—they could appreciate the loftiness of mind that prompted him in everything he did—they could appreciate his entire sense of and devotion to duty, the noble manner in which he carried out his convictions of duty. They could appreciate also the vigour, exempt from bitterness, the moderation, exempt from weakness, with which he always defended his convictions. But they did not know the whole man. Those, on the other hand, who had the advantage of his personal friendship, knew that his private virtues were on a par with his public virtues. They could appreciate his unflinching attachment to his friends, his strong domestic affection, his large and tender heart, which revealed itself in everything whether great or small. He is now no more, and the best tribute that could be paid to his memory are the words which have fallen from the hon. the First Minister's lips, "that his loss would be almost as much felt by those whose views he combated as by those whose opinions he upheld." Though engaged all his life in active political struggles, though all his life a strong party man, yet there is satisfaction in the thought that in this country, where political strife entails much bitterness, he has not left one single enemy behind him. His loss will be mourned alike by his friends and political foes, and all feel to-day that there is a gloom in this hall which darkens it and which must darken it not only for this Session but for many Sessions to come. Mr. Speaker, by none will his loss be more keenly felt than by his fellow-countrymen of French origin. All French Canadians, irrespective of party, feel that a man has departed from among us who was the connecting link between many of the discordant elements in our midst. Our Province has been the home of his choice and adoption. He had lived all his life among us, and mingled continually with us, and we always looked upon him as one of ourselves. He lived a man, who, in any station of life would have naturally sided with the few against the many. His nature also prompted him on

SIR JOHN A. MACDONALD.

many occasions to side with us French Canadians; and his name in our Province has become a household word, as also wherever the French language is spoken in Canada. He is now no more, and all I can say is that his loss is irreparable.

MR. WRIGHT: As one who has been in the Legislature with the late lamented member for Chateauguay, since 1863, I trust I may be permitted to add a few words to the very hearty eulogium passed on that gentleman by the First Minister, and to place my last tribute, a simple spray of Ottawa pine, on the coffin of a gentleman whom we all admired, esteemed and respected. So sudden has been the shock, so extraordinary has been our bereavement, that I do not believe this country or this House can realise the extent of our loss. We have had many sad bereavements in this House, as many of the old members can well remember. We suffered a sad bereavement when the late Mr. McGee passed away, when Sir George Cartier departed, and others of our eminent statesmen went to their rest; but, with the exception of Mr. McGee, perhaps not one has given us such a shock as that just experienced. We had in the former cases some premonition, some shadow of the impending calamity; but in this case, it burst on us in a manner sudden and extraordinary. Remembering, as we do, the excellent gentleman gone to his rest—remembering what an active part he took in this House, and that, with the late John Hillyard Cameron, he was one to whom all sides appealed with extreme confidence, the loss is one which can hardly be repaired. Under a cold and somewhat serious aspect, he concealed the hot lava of human affection; and we, men of the rank and file, who did not take the front rank in discussion, knew we might safely appeal to him for advice and assistance on every possible occasion; and so, as our own leader has said, the loss in his death is not simply that of a party, but a loss, before all, to the country. We, as humble soldiers of the Conservative party, have been arrayed against him, and have differed with him politically, but that will not prevent our placing a modest wreath on his coffin and saying the last sad word, "Farewell."

MR. LANGEVIN: I cannot allow this opportunity to pass without uniting

my voice in the language which is most familiar to me, and which was so fluently spoken by the lamented gentleman who has passed away, to those of the leader of the Government and the leader of the Opposition in the expression of the regret and grief which we feel at the news of the death of our lamented colleague. Mr. Holton was a member of Parliament for more than a quarter of a century, and during nearly the whole of that term I have had the honour and satisfaction of sitting in Parliament with him; and although we were by circumstances placed in different political parties, yet the hon. member never dealt with questions in such a way as to be unable on the following day to meet his opponents and to grasp their hands as on the evening before. I, for my part, am aware that not only is his death a great loss to the House, and especially to his party, but I further consider it a very heavy loss to our Province of Quebec. Mr. Holton did not belong to our political party, but we claimed him as one of us, as a distinguished citizen who did honour to our Province. I can but concur in all that was said by the hon. leader of the Government when he expressed, in such well-chosen terms, how great was the grief which we felt when we heard of the death of the hon. member for Chateauguay; I can but say that this death is a terrible blow to all of us, and that it should warn us, especially those of us who have completed our fiftieth year, that our turn may soon come, and that we should all so act that those who remain behind us may be able to say that which we can now say of Mr. Holton—that he has not left a single enemy behind him.

MR. COURSOL: As the representative of one of the important divisions of the city of Montreal, where the death of our esteemed and regretted colleague is now the cause of general mourning, I feel that I should be wanting to my duty and untrue to the sentiments of my own heart, were I not, Mr. Speaker, with your kind permission, to lay my tribute of eulogy and regret on the freshly opened grave of a citizen, of a friend, so highly valued by us all, and whom I have known so well. The Hon. Mr. Holton died like a soldier in the thick of the fight; he died at his post, where, for so many years, he discharged so faithfully, so honestly, and

with so much self-devotion, his duties as a representative of the people. All those who have known the Hon. Mr. Holton, as the citizens of Montreal have known him, and as I have known him myself, are well aware that in his public life as well as his private life, he was frank, loyal and sincere in his convictions; of this he everywhere, and at all times, gave proof; and the French Canadian people will never forget the services he has rendered them. He knew how to be just, and on many occasions rose superior to prejudice in defending the legitimate rights of the French-Canadians, under circumstances of difficulty, when other men would not have dared to act as he did. French Canadians feel that they owe him a debt of gratitude; and I venture to say, on their behalf, that his death will leave a void which will long be felt by them in the ranks of their friends of a different origin. As a citizen in his public life, as a man in his private life, a volume would scarce suffice to narrate all his noble deeds and describe his many virtues. As a citizen he lent his aid to every work of public charity; and the poor whom he assisted could alone tell his numberless acts of private charity, towards which his heart was ever naturally inclined. The poor, therefore, will bitterly deplore his loss. I myself have been cognisant of acts of benevolence accomplished by him in secret, under circumstances when many another man would have courted publicity. To do good silently was his greatest pleasure, as it brings to-day, no doubt, his just reward. I should have wished for time to prepare myself to speak of the virtues of so good a man—of the merits of the great citizen whom death has just snatched away from his family and his country. But I felt that I must not hesitate on this occasion, but give expression to the sentiments inspired by this most sudden death—sentiments which, I feel convinced, are shared by all the inhabitants of Canada, and more especially in the Province of Quebec. At this very moment telegraphic despatches are being received from every part of the country, expressing the deep and widespread regret caused by this calamity amongst the entire population of Canada. I think that the House, by enabling its members to attend the funeral of a man so distinguished as Mr. Holton—a man who

was so truly a patriot—will not only discharge its just duty, but offer a well-deserved tribute of respect to his memory. I am sure also that the city of Montreal will, in this instance, do as she has ever done for eminent citizens.

MR. GAULT: I may be allowed, as a member for one of the divisions of Montreal, to express my sincere regret at the sudden death of the hon. member for Chateauguay, which took us all by surprise and shocked the whole community. The name of Mr. Holton is esteemed in every household in the land. I dare not attempt to give full expression to my feelings on this sad occasion, on the sudden departure of our esteemed colleague, a better man than whom never lived. His death is a sad loss, not only to his constituency and Montreal, but to the House and the whole country.

MR. BÉCHARD: Let me be permitted to unite with those who have preceded me in rendering a last tribute to our late distinguished colleague, whose sudden and unexpected death has plunged the House into mourning and filled it with consternation. Since 1854, when he entered Parliamentary life, Mr. Holton has played a most important part and has filled a most eminent position in the political world of Canada. Strongly attached to his political principles, he had likewise the art of expressing them: and striving to bring about their ascendancy, not only with great lucidity of intellect and great power of reasoning, but also with that tone of conviction, free from all ostentation, that simplicity, that urbanity of manner, which, while it made him beloved by his friends, at the same time commanded the respect and esteem of his opponents. It is no small thing to hear it said on every side in this House that that great man, after a Parliamentary career of more than twenty-six years, does not leave a single enemy behind him. The country has lost a great man, a distinguished patriot. But the loss to this House is a still severer one. The important position which he filled here, and in relation to which he had become a most competent authority, made him one of the most useful and distinguished members of this Parliament. We shall long feel the loss of the counsels of that wise experience which had caused him to be

justly denominated the Nestor of the House.

MR. PLUMB: I feel that every private member of the House has sustained a great loss in the death of the hon. member for Chateaugay, and that this calamity will be a sufficient excuse for me to join in the general expression of mourning, and the general eulogiums which are uttered here upon him who has just departed from among us. It is fitting that we should speak of him here in this Chamber, where so great a part of his intellectual life was developed and manifested, by which he was best known to the people at large, and will be longest remembered and most revered by them and by us his sorrowing opponents. It was but a few hours ago since the gentleman, whose death we are now mourning, seemed in full possession of life and vigour, and was actively attending to the public duties which he discharged with a strictness, and with a fidelity which was an example to every one in this House. It is but a few hours ago since I sat with him on the Committee of Banking and Commerce, where he brought, as he always brought to the Committees which he belonged, the resources of a well framed mind and a judgment which was eminently clear and Conservative. I can add nothing more in that respect to what has already been said with much feeling and eloquence by my hon. friend the leader of the Government. I had a very long and pleasant conversation with Mr. Holton just previous to his death, in which he referred to the lamented Sir George E. Cartier, and to some passages of their public life together. I thought him then in the full possession of his health and his vigour, and no one would have dreamed, while listening to his animated discourse, that we had not the assurance that he would not remain for many years among us, an honour to this House and an honour to the country, and one of the most useful members that has ever sat in any deliberate body in Canada. When he parted with his friends on Saturday night, the impending shadow was upon him. In another hour or two however, he had gone over to that great majority to which we are all sooner or later to be drawn. I may say, while I stand here, that I have lost in him a kind, generous and tender friend. One

with whom I have been in the most intimate social relations, even since I had the honour of taking a seat in this House, one from whom I have received kindly advice, one from whom I have received great information and instruction, and one in whose society I always found great profit and pleasure. He possessed and had the gift of clearly imparting a great fund of practical knowledge, drawn from extensive experience and acute observation, and study of men and of events. He had been a constant and discriminating reader during his maturer life, and had acquired and assimilated in his mind, a varied and extensive store of sound English literature. He was specially versed in the literature which is most interesting to a people, who, like us, are forming institutions upon the basis of constitutional and popular liberty, that which bears upon the momentous Parliamentary struggles which agitated England during and subsequent to the reign of Charles the First, and culminated in the great events that secured Parliamentary liberty to the British Empire. In the history of those stormy and sanguinary conflicts he had an accurate speciality of knowledge, and it was a favourite theme of his conversation. The great ability, ease and clearness with which he grasped public affairs, enabled him rapidly to form just conclusions, and to enunciate opinions which were always valuable, and which will long continue to be quoted in this House and elsewhere. He had extensive knowledge of Parliamentary practice and Parliamentary history and precedents, and through his retentive memory, he was capable of readily applying principles to circumstances, and of forming through his clear impartial judgment an eminently just conclusion. I met him late in his Parliamentary life. Whatever may have been his previous courses of thought and action, he had then sunk the controversial in the judicial habit. What he did here was eminently in that direction. We, on this side of the House, feel that we have lost in him one who can scarcely be replaced, in view of the broad and competent manner in which he dealt with subjects that were constantly coming up. We all know that in certain lines of legislation, there was no man who could be so safely appealed to. We feel that in every way

this House and the country have sustained a loss which is irreparable. To my friends on the opposite side, I would say this a time when we can meet together and lay aside party disputes and differences in a common sympathy and a common sorrow. To them I would say that we fully appreciate the feelings with which they must have assembled in this House to-day, and have looked upon yonder vacant chair. To the country we may say from this place where we know him best, and where we can best appreciate him, that a loss has befallen them which is almost incalculable. But, Sir, there is a deeper affliction still, which I will not venture to touch upon. I will not venture to cross the threshold where private griefs are hidden from the public eye, but I will say this that no man within my knowledge more truly "wore the white crown of a blameless life." Perhaps there is scarcely any one among us who, if suddenly called upon to make up and close the great record of his life, would find so few pages which he would wish to blot as Luther Hamilton Holton.

**MR. MOUSSEAU:** Mr. Speaker, when the intelligence of the sudden death of Mr. Holton spread throughout the city, grief was depicted on many faces and many a stern countenance was wet with tears. It looked as though everyone had lost a father or a friend. The spectacle we witness to-day is a still more moving one; we have seen the hon. the leader of the Opposition—overwhelmed by grief caused through the death of his hon. friend—unable to finish the eulogy he had begun. We have seen the hon. the Prime Minister praise the regretted dead in accents almost stifled by emotion. All those who have spoken have been the echoes of the sentiment of profound sorrow felt by all. That sentiment does honour to the House, but it reflects greater honour still on the man who is its object, and whose sudden death has caused so much grief in this House and throughout the whole country. I think I may sum up the leading characteristics of Mr. Holton by saying that, if on this day we are so deeply moved, if we are all so overwhelmed by grief, it is that Mr. Holton was for those of his own age a brother, and for those younger than himself a father. That is the true explanation of the feeling which has manifested itself in this House and

**MR. PLUMB.**

throughout the country. His was a great character; and he was possessed of noble, rare and precious qualities as a public man and a statesman. Sincerely convinced of the correctness of his own views, of the excellence of his opinions, the soundness of his principles, he sought to make them prevail without provoking the least bitterness, or any ill-feeling in those who differed with him. Like many great men of whom history speaks, Mr. Holton did good by example rather than by precept. If a fault was committed, he attributed it to the weakness of our common nature rather than to a bad intention. In his judgment, patriotism required two things: that one should live chiefly for the country and in a subordinate manner for the party. In his case, political alliances were made always to yield to the greater interests of the country; and he has been seen nobly to take up the defence of a cause, although by doing so he would have to separate himself from some of his friends. A man who acted out his political life in this way, who was so liberally endowed by nature, must inevitably leave behind many deep regrets. But along with these regrets he has bequeathed an important and wholesome lesson for the young men about to launch into public careers. His great and noble example will be the consolation of those who have lost him, especially of the members of the Opposition, and of their chief who was his intimate friend. I have said that to his equals in Parliamentary experience he was a brother, to young members he was in truth a political father. To whatever side of the House a member was attached, he was always sure of finding in Mr. Holton a friend, a faithful counsellor, who never refused, without regard to party, to give the benefit of his great experience and his wisdom to all who came to consult him. Mr. Holton has ever been found to be a citizen animated by an unselfish patriotism, and a true Christian love for his neighbours. By speaking in this way of this distinguished man, I am only fulfilling a duty specially incumbent on the younger members, for I truly believe that with Mr. Holton we shall lose more than the older members will.

**MR. TASSÉ:** I may perhaps be allowed to add my humble share to the eloquent and unquestionable tributes of respect to

which we have just listened in relation to the sudden and lamentable decease of one of the most useful, one of the most remarkable, one of the most experienced of the members of this House, the Hon. Mr. Holton. Of all the qualities of that lamented gentleman which commanded our esteem and our admiration, there is one which I look upon as among the greatest, as one of those that did more honour to his head and to his heart, that of the friend of youth, that of filling the position of the friend and the adviser of the younger members of this House. He did not confine his counsel, marked, as a rule, by great wisdom, and the result of a prolonged study of men and things, to those only who worshipped at his own political shrine, and who thereby had a claim upon his sympathy, but he dispensed them with like benevolence to those who had enrolled themselves under a standard to which he bore no allegiance, thus showing that egotism—the reef towards which party feeling usually leads—had left no mark on his great and generous nature. And above all it is that I feel that I am but yielding to a sense of gratitude when I am impelled to address the House on this occasion in a tongue which, I remember with pleasure, was not devoid of charm for the lamented member for Chateaugay. The scene which we have just beheld—mournful as is the cause which gave rise to it—is not the less a beautiful one, is not the less worthy of admiration, is not the less grand. History has handed down to us the name of a celebrated warrior who not only wept the death of his rival, but erected a statue to his memory. So we have just witnessed a not less touching sight, not unusual it is true in our Parliamentary halls, which is a eulogy on the institutions which could inspire it, a eulogy on the men who took part in it, and, above all, a eulogy on him who was deserving of so unanimous a testimony of respect. We have had proof that however lively, however warm, however bitter even our political contests sometimes are, yet passion never so far blinds us as to cause us to fail to recognise in a loyal opponent the most admirable gifts with which he has been endowed by the Creator, intellect, rectitude and integrity, when those gifts are united in so eminent a manner as they were in the case of him whom we

are now lamenting. Mr. Holton was one of the few eminent minds of whom it might be said, "We contend against him, but we are proud of him." We see fall upon his opening grave the tears of those who were his companions in arms, who fought by his side amid varying vicissitudes for a cause which is not mine, but which he sincerely believed to be the best; but we have also seen men who have been his opponents for more than five and twenty years, such as the right hon. leader of the Government, give evidence of grief no less deep, and of respect no less high, for the memory of him who but yesterday, as it were—a new and striking proof of the instability of all things human—took part in our proceedings with his accustomed energy and ability. It has been rightly said that the Liberal party, of which Mr. Holton was one of the leaders, and that this House, of which he was a luminary, have suffered a severe loss. If, notwithstanding the great services rendered to his party in the course of a long Parliamentary career, we for a few months only assumed the heavy responsibilities of office, certain it is that he always exercised great influence and great authority among his party. With the independence of mind which characterised him, he did not shrink on several occasions from blaming the conduct of those of his friends whom he considered to be wandering from the right course. Loyal to England, strongly attached to her institutions, the admirable working of which he so well understood, desirous of preserving intact the tie which binds us to her, he did not hesitate, some few years ago, to condemn a movement in favour of independence, which, in his opinion, could only end in annexation, and in that way in the destruction of our national autonomy. A friend of liberty of conscience, and desirous that harmony and good-will should reign among our people, he strongly reprobated every action, every movement which might tend to disturb religious peace, recognising the fact that that is the surest foundation for the stability and greatness of this country. And no one has forgotten that on a celebrated occasion, when he was sitting at your right hand, Mr. Speaker, he energetically denounced a political manifesto, which, at the time, resounded painfully, and which he considered to be of a nature



to light up religious warfare, the worst scourge which can ever desolate Canada. This is one of the finest deeds in his career; he will ever be honoured for it in history, and it enables us to declare that Mr. Holton has deserved well from the entire country. It was more than a good action, it was a great lesson of wisdom and patriotism. And he owed it to his spirit of toleration and conciliation that for many years he enjoyed the confidence of an electoral district, two-thirds of the population of which were French and Catholics, the county of Chateauguay, which in its time thus gave a convincing proof of our liberality towards our fellow-citizens of a different race. It is not for me, Sir, to pronounce judgment on the various acts of Mr. Holton's political career, in relation to which a diversity of opinion may exist; I wish on this occasion to imitate the brevity which he liked to cultivate in connection with his speeches; but I cannot refrain from repeating that his premature decease leaves a void in this House which it will be hard to fill. Within a few years, death has made serious ravages in our ranks, even among our leading politicians; it has removed from our midst McGee, Howe and Cartier, to speak of but these three alone—at the highest point of their merit and of their glory; and now, remorseless as ever, without the slightest premonition, it has suddenly cut short the career of a man who occupied an enviable position, an eminent position in the Councils of the nation. Though those great patriots, who devoted their energies in different ways to their country's good, while inspired by the same high motives, have ceased to instruct us with their enlightenment and experience; though the State must in future be deprived of their valuable help in emergencies through which it must pass, let us at least learn from their example—to use an expression of the lamented dead, in a celebrated debate—never to despair of the country, and let us so act that the good teachings which they have left behind them, will still be useful to the country by serving as a guide to those to whom is entrusted the control of its destiny.

MR. MACDOUGALL: I do not rise for the purpose of adding merely to the language of eulogy upon the deceased

member of this House, but as an old political friend, as a colleague of his in the Government of Canada, as one who has for thirty years been on terms of intimacy and in close political sympathy with the late hon. member for Chateauguay, I think it would be proper to make one or two observations with reference to his position in this House and in the country before this motion is carried. The hon. gentleman belonged to the old school. He belonged to a class of politicians who are rapidly passing away—men of deep convictions, of invincible courage in defending them, and always ready to make private sacrifices for the public good. I look about this House, and I see very few faces of members who belonged to the Parliament of Canada when he became a member of it, and when I, as a young man, had the honour to rank myself among his political friends. From 1849 up to the time of Confederation, I may say, Mr. Speaker, that I had the privilege—and it was indeed a privilege—to gather political encouragement, to learn political wisdom from the more mature experience, the better furnished mind, of the hon. member for Chateauguay. I do not know, I cannot call to mind, any important question of politics or of legislation or government, during all that period, with reference to which I held any different view from the hon. gentleman. At Confederation, he took the view that the country was not ripe for such a change, and he took that view honestly; he regarded the question from the standpoint of a patriot. He had apprehensions not only that the country was not ripe for the change, but that it would involve us in political and financial embarrassments and dangers; and I am not quite sure that his apprehensions were without some good foundation. However, he accepted that which the country seemed to approve; and we can all bear witness that he has laboured and assisted by his labours in the improvement of our laws, and in securing the permanency and success of our institutions. His sudden removal impresses this House, and will impress the country, with a sorrowful feeling, for we have incurred a great and irreparable loss—a loss which this House will feel at every step, and in all its proceedings, and will sustain with intense regret. On account of his great

MR. MOUSSEAU.

familiarity with our institutions and the practice of Parliament, we have all found, when differences arose, that his judgment and advice could be safely followed; and we all bear witness that, notwithstanding his strong political feelings, when the question was one affecting the privileges or the honour of Parliament, he was always found true to his country and his duty, rising superior to partisan feelings or political bias. We have indeed sustained a great loss. It has fallen upon us suddenly. But, Sir, the younger members of this House will have the advantage—and I trust they will avail themselves of the advantage—of his career, which from the feelings that will be found to prevail throughout this Dominion, will show that, when a public man, in his place in Parliament, performs his duty earnestly and honestly; when he faithfully adheres to the principles which he avowed at the hustings, and redeems the pledges he may have made to his constituents, he will be appreciated and approved, and that in the end his country will do him justice.

*Motion agreed to.*

House adjourned at  
Four o'clock.

## HOUSE OF COMMONS.

*Tuesday, 16th March, 1880.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

THE LATE MR. HOLTON.

MOTION TO ADJOURN.

SIR JOHN A. MACDONALD: As it is usual to adjourn on St. Patrick's Day, and as we know that a number of hon. members will be absent on a melancholy duty, I propose that, when the House adjourns to-night, it stand adjourned until Thursday, at three o'clock, p.m.

*Motion agreed to.*

BILL INTRODUCED.

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

Bill (No. 77) To facilitate the detention and safe keeping, in certain cases, of persons convicted in the North-West Territories or District of Keewatin, and sentenced to imprisonment.—  
(*Mr. MacDonald, Pictou.*)

## GOVERNMENT BUSINESS.

*Ordered,* That Government Business shall have precedence immediately after routine proceedings on Thursdays, during the remainder of the Session.—(*Sir John A. Macdonald*)

## FISH INSPECTION.

RESOLUTIONS CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider certain proposed Resolutions (*Mr. Baby*) respecting the General Inspection Act, 1874, and the amending Act.

(In the Committee.)

MR. BABY: The object of the Bill it is proposed to base on these resolutions is to insert in the General Inspection Act of 1874, in the schedule of fees a fee for the inspection of smoked herrings. According to the law now in force, the fee for smoked herrings only applies to barrels and half barrels, and everybody conversant with the matter knows that smoked herrings are never put up otherwise than in boxes. This measure will meet the requirements of the trade, no doubt.

MR. ANGLIN: These resolutions have taken me by surprise. I have never heard any demand for an inspection of the kind. There is no difficulty in our market as to whether boxes are full or not. I know no reason why this impost should be placed upon the trade, or why persons should be obliged to submit their boxes for examination. I represent a district in which a large amount of herrings are taken, and I live in a city in which large quantities of smoked herrings are sold, but I never heard it said that there was any necessity for having such an examination as this. These inspections are always vexatious, and I hope the hon. Minister will pause before going further, and ascertain whether there is any need for the measure.

MR. LONGLEY: I think it is very desirable that there should be an inspection of smoked herrings. As near as I have been able to ascertain the sentiment of fishermen in respect to inspection, it seems to be somewhat divided, but I think the balance of opinion is much in favour of inspection. It is quite likely that the quality of the herrings would be improved under proper inspection. If, under a tax of 1c. or 1½c. per box, the quality should be improved to the extent probably of 5c. or 10c. per box, it is apparent that, instead of being a detri-

ment to that particular industry, it will really be an advantage to the fishermen. I have no hesitation in saying, however, that I think a tax of 2c. per box for inspection is far too high. I have endeavoured to impress on the hon. Minister the same conviction, but it would seem that he has been largely influenced by the opinions of the Board of Trade. Now, with all deference to the valuable opinion of a body of men such as those constituting the Board of Trade, I think the fishermen themselves are likely to be better judges of what is a fair tax for inspection than any board of trade. These boxes are 18in. in length and 9in. in width. They are supposed to contain beside, a certain weight of fish. Strange to say, while the inspection has been talked about a good deal, and while inspectors have been appointed, the law has been left in such an indefinite condition that it was not known by the fishermen themselves or anybody else whether the inspection was compulsory or not, and if it was, what fee was to be imposed. There is nothing in the law to guide one in this matter, except the statement that the fee for the inspection per half barrel of herrings shall be 3c., and upon that assumption, I suppose, some have concluded that, if smoked herrings were inspected at all, the inspection fee would be 3c. Now, let us look at this matter from another standpoint. Under the law, it is not obligatory on the part of the inspector to inspect more than 10 boxes out of each 100 boxes, so that only 100 out of a 1,000 boxes would require to be inspected. Now, assuming that the fee imposed is put at 1c., the inspector has \$1 practically for inspecting ten boxes of herrings, and \$10 for inspecting 100 boxes. So I contend strenuously, in the interest of the fishermen themselves, and on the score of equity and justice, that the fee should not exceed at any rate  $1\frac{1}{2}$ c. per box, and my own decided opinion is that it should not exceed 1c. per box; and I shall feel myself called upon to contend to the end that it shall not be made larger. And if it is placed at a higher rate than that, then you give the advantage to the inspector at the cost of the hard-working fisherman, because there is scarcely any industry that is more exhausting or arduous in its nature. I

hope the hon. Minister will allow himself to be suitably impressed with the remarks that have been made. I do not think it is customary to put up many of these herrings in half boxes, and I was not aware that any were put up in quarter boxes. I should say, however, that 1c. per box and  $1\frac{1}{2}$ c. per half box, would result in a very considerable advantage to the fisherman, in view of the standard and the quality of the fish being raised. Under those circumstances, no one would have occasion to find fault. This particular kind of fish are caught exclusively between Digby, on the west, and Annapolis Royal, on the east. They are caught on both sides of the river for a distance of nearly twenty miles, and for some years this has been an exceedingly profitable industry. I am told by some fishermen that the catch has been, in certain years, 25,000 boxes, but I apprehend that it has been very rarely that the catch has equalled that amount. These herrings are widely known for their excellent quality. They are sent largely to Glasgow, Scotland, in which market they sometimes realise a very high price. They vary in the locality in which they are caught from 40c. or 50c. to 80c. or 90c. per box. The average price is about 50c. or 60c. per box. I will not use the word protest, but I certainly shall most strenuously oppose the imposition fee of 2c. per box on those fish.

MR. GILLMOR: I suppose the fishermen in my constituency produce from two to three hundred thousand boxes of smoked herrings or they may be half boxes. Their market price of these herrings is rarely over 20c. per box, and I have often known them to fall as low as 10c. or 12c. If 1c. per box were put on these fish it would be an enormous tax. I have not had any conversation with my constituents upon this subject lately, but, when the matter was introduced some years ago, they were decidedly opposed to it. I do not consider that it is desirable, either in the interest of the fishermen or the purchaser, that this tax should be imposed. It will create another office at the expense of the fishermen. I cannot suppose that if this inspection is enforced, it will only be to the extent of 10 per cent. of the boxes, but presume every box should

be inspected as every barrel of flour and fish is inspected, if any portion is inspected. I shall certainly oppose the measure in my humble way, because in my opinion there is no necessity for it.

MR. WELDON: I quite agree with the hon. member for Charlotte (Mr. Gillmor) that this tax would be a very heavy imposition on the people of the county of St. John and the other counties of New Brunswick and Nova Scotia bordering on the Bay of Fundy. It is a matter upon which I should like to communicate with my constituents for the purpose of ascertaining their views. I feel satisfied, however, that they will be opposed to this tax, and I fail to see, after listening to the remarks of the hon. member for Annapolis (Mr. Longley), what benefit is going to be derived from it.

MR. DOMVILLE: The hon. gentlemen desirous of protecting our industries are no doubt in the right. It cannot be expected that if inspection is to take place it can be done without someone paying for it. We must bear in mind that this inspection will enhance the value of these fish abroad. I only make this remark because there can be no wish on the part of anyone to oppress the trade of the country or to put the fishermen to a disadvantage. Whether the rate proposed is too much or not is another question.

MR. DOULL: I am not directly interested in this description of fish. I must say, however, that the smoked herrings which find their way into our market, although they must be of a coarser kind than the herring the hon. member for Annapolis referred to, are sold for 20c. a box, and frequently for less than that. I agree with the hon. member for Charlotte that the imposition of the proposed fee for inspection would be more of an injury than a benefit. Now, 2c. a box for inspection would be a very heavy tax, and in my opinion is an unnecessary tax. There is a good deal in what my hon. friend from Annapolis (Mr. Longley) says, that the imposition of an inspection fee, and the necessity for inspection, would be a means of improving the quality of the fish. It would have that effect. But do not let us tax an industry for that purpose so as to cripple it, as it would be by imposing a tax of 2c. on what is sold for 15c. or 20c. I there-

fore express my disapproval of it, as I think it unnecessary and unfair.

MR. LONGLEY: I am not quite sure, but it is my impression that smoked fish, or any other sort of fish require to be inspected before being sold, and it were better that the inspection should take place where the fish are caught than where they are sold. It is quite true that a sale might be effected without any inspection, but, as a general rule, the purchaser would not feel himself safe in buying without inspection; and I think, with regard to these smoked herrings, as well as other kinds of fish, that they require to be inspected, and are usually inspected before they are sold, so that the tax may as well be imposed where caught as where sold after; so that I do not think any objection on that score amounts to much. If it were practicable, it certainly would seem to be quite fair to make a distinction as regards the inspection fee between fish worth 50c. or 60c. per box and those worth 20c. per box; and if the hon. Minister could see his way clearly to make a distinction—1c. on fish caught in Annapolis Basin and  $\frac{1}{2}$ c. on those caught at Grand Manan and other points—it would seem only reasonable and right.

MR. BABY: The inspection fee mentioned in the resolutions before you, Mr. Chairman, is not imperative in the strict sense of the word, not more so than the other fees mentioned in the 68th section of the Act now in force are. It is only where there is a board of trade, through which an inspector is appointed, or through the Government, where there is no board of trade, that the inspection is to be made. The fee as recommended at the time by the Chamber of Commerce of Nova Scotia, was 3c. per box; and I put it down to 2c. only. However, after hearing what has fallen from hon. gentlemen, and particularly from the hon. member for St. John (Mr. Weldon), I ask for more time to examine the law; and I have no objection that more attention should be given to the subject, and that you should leave the Chair, Sir, for the present, report progress, and ask leave to sit again.

MR. LONGLEY: I understand the inspection is to be compulsory.

MR. BABY: Only where there is an inspector.

MR. LONGLEY: Then the whole

thing hinges on an inspector being appointed. We should first decide whether the inspection should be made, and, if so, what would be a fair inspection fee. I do not think much could be gained by making provision for inspection without making it compulsory; because some catchers or curers say they do not care for inspection; they feel that their own reputation is sufficient to guard against putting up unsound fish; but the qualities of fish are likely to be considerably improved by proper inspection; and what we seek is, not to impose a tax on fishermen, but to do what would be a decided advantage to them by raising the standard of the fish.

SIR JOHN A. MACDONALD: As I understand it, these inspectors are only appointed on the recommendation of the board of trade, and these fees in the 68th clause are for the purpose of paying the expenses of inspection, so that the cost of this inspection shall not be thrown upon the Consolidated Revenue. I quite agree with my hon. friend who has just spoken, as to the principle upon which all inspections are based. It is of great importance that no bad article of trade should be allowed to go to a foreign country. A few such cases might destroy a large and prosperous trade. That is the principle of inspection. The only question here, therefore, is whether the fees are too high. If they are they should be reduced. My hon. friend the Minister of Inland Revenue has heard what has been said, and will give the subject due consideration.

MR. MACKENZIE: The hon. the Minister of Inland Revenue says this was at the instance of the Board of Trade of Nova Scotia. There is no Provincial Board; there is only a Board of Trade at Halifax.

MR. BABY: I stated that many representations were made in this direction. There was a flaw in the law which, whilst providing that the inspection should take place, mentioned no fee in this respect—this fee having, by an oversight, no doubt, been omitted from the schedule. There are several clauses in the Statute which say that the inspection of smoked herrings shall take place, and what will be the quality of the herrings submitted to such inspection, but no remuneration provided for the inspector. These representations were made by a number of

gentlemen from the Lower Provinces, who stated that the inspection would enhance the price of herrings, principally of those which are prepared for exportation.

MR. ANGLIN: If these resolutions are passed, this inspection fee will be compulsory clearly. At present there are inspectors at all the principal fishing ports which are places of export, and the law gives those inspectors the right to inspect the fish. In no case would the election be left to the fishermen or those engaged in the business. Upon the representation probably of a member of this House, where there is no board of trade, the Government would appoint the inspector, and the inspection would become compulsory. It should be borne in mind, therefore, that, if we adopt the principle embodied in these resolutions, we are adopting the principle of compulsory inspection. With regard to other kinds of fish intended for exportation, it may be desirable that they should be classified carefully, so that a proper reputation may be established in the foreign markets. The poorer kinds of this fish bring such a small price that there is no inducement to export them. The only smoked herrings that will ever find a market abroad will be those which are carefully selected by the parties shipping the fish. The hon. Minister will see that those of us who represent fishing districts are not prepared to express approval of this measure; and I hope before further action is taken the House will have ample time to consider this matter. It is a subject we need not quarrel over; we all wish to do what is best calculated to promote the general interests of those districts. The hon. member for Charlotte (Mr. Gillmor), who represents the largest number of persons engaged in any part of the Dominion in the herring fishery, says the proposed measure would be regarded by the fishermen as an onerous tax. I think this matter, in view of these facts, should not be hastily dealt with.

SIR JOHN A. MACDONALD: In the compulsory clause respecting fish, nothing is said about smoked fish, so, unless something to that effect should be introduced, based on the resolution, it would not affect the fish spoken of.

MR. ANGLIN: In that case I have no objection at all.

MR. LONGLEY: The inspection of pickled fish is compulsory.

SIR JOHN A. MACDONALD: Yes, but unless that clause is made compulsory by inserting "smoked fish," the inspection would not be compulsory in respect of that class of fish.

MR. BABY: For the information of the House, I will repeat in French the explanations given before. The law, as it exists at present, provides that smoked herring shall be inspected wherever there is an inspector, and where there is no inspector there is no inspection. It provides for imposing fees upon barrels and half-barrels of smoked herrings, which is an anomaly, as fish of this kind is always packed in boxes, but no fee is stated for boxes and half-boxes of that article, and these resolutions are meant to supply that defect in the law. As to fixing the amount at 2c. per box, that rate was at the time suggested by the Nova Scotia Chamber of Commerce and others in that Province, and also by interested parties in the Province of Quebec. However, after hearing an expression of opinion from hon. members present, and as this is a matter requiring careful consideration, the Government will now ask the Committee to report, with leave to sit again, and before sitting again will endeavour to ascertain whether the rates proposed are really too high or not.

MR. GRANDBOIS: Notwithstanding the opinion of the hon. Minister, I think the buyer of herrings is the most competent person to examine them and judge of their quality. I think inspection is unnecessary, and will be very unpopular. It is the opinion of those who are perfectly competent to give an opinion that ion is of no use whatever.

MR. BABY: Not only the Board of Trade, as I said before, but a large number of merchants who are largely engaged in the herring business have represented at different times that smoked herrings in boxes ought to be inspected. For this the present law does not provide, and hence these resolutions.

MR. VALLÉE: Is this inspection to be obligatory?

MR. BABY: It will be obligatory where there is an inspector, and there is always an inspector where there is a board of trade, by whom they are gener-

ally recommended to the Government for appointment.

Progress ordered to be reported.  
House resumed.

(In the House.)

Progress reported.

#### BILL INTRODUCED.

The following Bill (*from the Senate*) was introduced and read the first time:—

Bill (No. 78) Respecting the President, Directors and Company of the Bank of New Brunswick.—(*Mr. Burpee, St. John.*)

#### WAYS AND MEANS—THE TARIFF.

##### ADJOURNED DEBATE.

House resumed the adjourned debate on the proposed motion (*Sir Samuel L. Tilley*) for the second reading of the Resolutions relative to duties of Customs and Excise reported from the Committee of Ways and Means (March 9th).

MR. McCALLUM: I crave the indulgence of this House while I make a few remarks on this subject, in reply to the observations which fell from the lips of the previous speaker. In my opinion, Sir, the members of this House and the people of this country feel grateful to the Government for the success of the National Policy inaugurated last year. Hon. gentlemen opposite tell us that we have not kept our pledges. What were our pledges when we were on the other side of the House? What did we say when we went before the people? Our contention always was that the Government of the day, no matter what was its political character, whether Tory or Grit, Reform or Conservative, must have money to carry on the affairs of the country, to pay the expenses of Government, to pay the interest on debt, to make the necessary public improvements; but we claimed, also, that the money should be collected in such a way as would as far as possible assist the people. Has not the Tariff brought down by the hon. the Finance Minister last year had that effect? The hon. gentlemen opposite claim that it has not. Why, they have eyes, and see not; they have ears, but hear not; they have minds, but will not understand. They are croaking and murmuring, but it seems to me their cries are the lamentations of drowning men catching at straws, drowning in the political sea of their own inconsistency. I might refer to the broken

pledges of the hon. gentlemen opposite, not by way of excuse for ourselves, because we have nothing to excuse ourselves for, and two wrongs will not make a right, any more than two blacks will make a white. What was the policy followed by the Grits in 1873-4, when they came before the people? I remember well reading in the chief organ of the party of hon. gentlemen opposite what the hon. the then Prime Minister said before the electors of Lambton. He told them he was going to raise the standard of public morality, and conduct the business of the country on principles every honest man would approve, and which would bear the light of day. If he did raise that standard, it did not float long; it was soon hauled down, and disappeared, owing to the actions of his colleagues and supporters in this House. I remember when, in 1873, the late Premier addressed the people of Lambton, he said that, during the Ministry of the Hon. Sir John A. Macdonald, the corridors and lobbies of Parliament at Ottawa were filled with contractors and expectant contractors, influencing, threatening and bribing members to support that Government. But the right hon. leader of the present Government has kept these contractors in the lobbies and corridors, while the hon. member for Lambton, on entering office, gave some of them seats and contracts in his Cabinet, and put one in the Speaker's chair. If that was not trailing the standard of public morality in the dust, I do not know what it was. What was the pledge and platform of hon. gentlemen opposite in 1873-4? It was economy, purity and the giving of contracts for public works by tender and to the lowest bidders. What about the Palen contract, the Goderich Harbour matter, and other similar transactions? They also spoke about the independence of Parliament. The last speaker in this debate (Mr. Ross), speaking of the hon. member for Lincoln (Mr. Rykert) was very sharp in his criticisms. What has been the stock-in-trade of those hon. gentlemen for the last five years? They have dealt a good deal of abuse to the hon. member for Lincoln, but he stands well in his county, and, if you look at the evidence given by the solicitors of the Great Western Railway, you will find it stated that the money Mr. Irving gave that hon. gentleman had nothing to do with his

Parliamentary services. He was tried before a Parliamentary Committee, composed principally of Grits, who, if they could have sunk the hon. gentleman, would have done so. But how does he stand in his own county? He beat at the last election, a strong, honest man, and, had he not stood well with his constituents since those charges were made against him, he would not be here to-day. That is proof positive that the policy of hon. gentlemen opposite, as I told them before, was not in accord with the opinions of the people of Lincoln. The hon. leader of the Opposition has talked lately of the deplorable condition of the United States, as to their trade; he went so far as to say they had not ships enough to exchange their produce with other countries.

MR. MACKENZIE: I said not a word about United States shipping.

MR. MCCALLUM: That is very like the hon. gentleman. I will read, however, what a friendly organ of his party, the *Quebec Globe*, or otherwise the *Montreal Herald*, says in reporting his speech the other day on this question:

"MR. MACKENZIE: Yes, I suppose that the less our imports are, we are so much richer. The hon. gentlemen opposite, by their Protectionist policy, have set themselves deliberately to reduce and destroy our foreign trade. I believe no country possessing a fleet of vessels, no country having commercial relations with the world, can avoid having a foreign trade. Because the Americans have ceased to have a foreign trade, they have sunk in the scale of nations. They have fallen behind the age, because they have no means of exchanging commodities with the rest of the world."

What does that mean?

MR. MACKENZIE: There is nothing about United States shipping in it.

MR. MCCALLUM: I will leave the country to judge if the interpretation I put on the hon. gentleman's speech is not correct. If the hon. gentleman would look a little further, to the United States commercial reports, he would find a different exhibit and that he is very much mistaken. Such statements are on a par with others frequently made by hon. gentlemen opposite across the House. They have for years decried the policy of that Republic, asserting it was in a bad condition and getting greatly impoverished. What is the fact? I have a statement of the exports and imports of

the United States for the last thirty years, but will take the ten-year periods:

	(Not Coin and Bullion.)		
	Imports.	Exports.	Total.
1850.....	\$164,034,033	\$134,500,233	\$393,934,266
1860.....	336,232,485	316,242,423	652,524,908
1870.....	419,803,113	376,616,473	796,419,586
1879.....	432,979,124	695,340,790	1,132,319,914
Increase from 1850 to 1860.....			\$253,590,642
“ “ 1860 “ 1870.....			143,994,673
“ “ 1870 “ 1879.....			335,900,323
Balance of Trade against United States			
1850.....			29,183,800
“ “ “ 1860.....			20,040,062
“ “ “ 1870.....			46,686,640
“ “ “ in favour of United States			
1879.....			264,379,163

This is the country that has been decaying under Protection—that has fallen behind in the race of nations, and has not ships enough to exchange its commodities for those of other countries. Its trade has trebled in thirty years. Though its shipping might have been more prosperous in former years, it possesses over 4,000,000 tons at present in foreign trade, which is no very bad condition of affairs. The hon. member for Lambton the other day found great fault with the Minister of Railways because he made some remarks on the hon. gentleman from Centre Huron (Sir R. J. Cartwright) being a renegade Tory. I am of opinion that the hon. the Minister of Railways and Canals is not as good a judge of a renegade Tory as the hon. member for Lambton (Mr. Mackenzie). That hon. gentleman at one time, speaking to the electors of Hamilton, in 1871, defined a Tory as a curious animal, and he said, if you remove the skin, you find a Tory, and then remove the flesh to the bone, and you find him a Tory still. The hon. member for Lambton says that he was in accord with him on all subjects before he went into the Government. I suppose he subjected the hon. gentleman to the surgical operation alluded to. If he did, he is better qualified to express an opinion as to what he is composed of than the hon. the Minister of Railways is, who did not put him through the operation. He says that no man ever became a member of his Cabinet who was not in accord with them. I know he has been in the habit of saying that the hon. member for Centre Huron (Sir R. J. Cartwright) was in accord with them for years before he entered the Cabinet. I do not think the House or the people of the country will accept that statement as correct. I think it is quite the reverse. We have the authority, and I am sure we cannot have a better authority than the organ

of the party, the *Globe* newspaper, in regard to the hon. gentleman. It said he was “a mixer and a muddler,” and was guilty of almost all the political crimes possible. Other planks in the Grit platform were: Parliamentary control over expenditure of money and independence of Parliament; to keep the people’s representatives free from favours from the Crown; but they had no sooner got possession of office than they scattered all these planks to the four winds of Heaven, and allowed members of the Government and the Speaker of the House and their supporters to fatten on the Public Treasury. This was the result of the policy promulgated by hon. gentlemen opposite. But do we not remember the steel rails transaction? We remember how they put their hands into the public purse for the purchase of 50,000 tons of steel rails, and, when they were brought to task for it, the then leader of the Government said it had never been promised that it should be done. On that occasion the late member for Hamilton (Mr. Irving) brought them to book in this House, once on account of their violating their pledges in the matter of having contracts laid on the Table and expending the people’s money without a vote of Parliament. Hon. members will remember the late Government bringing a Bill into the House to build a railway from Esquimaux to Nanaimo, in British Columbia, and we remember the hon. member for West Durham (Mr. Blake), and the member for Bothwell (Mr. Mills) opposed the passage of that Bill, although they accepted seats in the Cabinet shortly afterwards; and the hon. member for Lambton tells us that his Government was in accord on all questions. But they could not have been in accord on this question; for we know the hon. members for West Durham and Bothwell voted against the Grit Government on that occasion. We know they did not agree on that policy. We have not learned yet who gave away his principles on that question. We should like to know whether Mahomet went to the mountain or the mountain to Mahomet. On the question of the reorganisation of the Senate, the hon. member for Bothwell (Mr. Mills) was not at one with the Government. The real leader of the party in another



place came out in the *Globe* newspaper and placed his big foot upon that scheme, and said they had a fit of midsummer madness, but now they tell us they were in accord upon all questions. The hon. member for Middlesex, in his speech, referred to the Montreal manifesto as a annexation manifesto. Now, who is the head centre of that annexation clique in Montreal? What has he been formerly, and what is he now? I do not know that it is necessary to name him. He was sent to Philadelphia at one time by hon. gentlemen opposite, and employed at a salary of \$3,000 a year. What did they send him there for? If they knew his proclivities, was it to buy or to negotiate an arrangement between this country and the United States? But, Sir, I can say this that they sent him there, and he revelled there at the country's expense, in wine and cigars, for a long time. They sent him to Paris afterwards, and I hold in my hand a very amusing document; it is an account of the expenses of the party when they were off on a "jamboree" at Philadelphia—I cannot call it anything else. It is an account of expenses for wines and cigars, besides what they paid for Annie.

An Hon. MEMBER: Better not say "Annie" more about it.

MR. McCALLUM: Well, no; I will not say any more about it. Why, Sir, these gentlemen revelled at Philadelphia in wines and cigars. The expenses at Philadelphia, for living alone, for a short time amounted to \$7,625, and for wine and cigars, \$757; and these are the men that promised the country economy. But they did not stand long; they were turned adrift, and they say now: Oh, if we had a chance of going to the country again the country would be with us. What guarantee have they got for anything of the kind? Is it because Oliver Mowat's Government was supported in Ontario last summer? I think the hon. member for West Middlesex (Mr. Ross), when he spoke of that, went beyond the mark. He should not go back on the Government that employs him. Oliver Mowat was governing Ontario in a much better way than the Grit Government had governed the Dominion. Speaking of the Province of Ontario, we know that they are Reformers, because at the last Dominion elections they turned them

out; they would not have any more to do with them; they would fain support Oliver Mowat and nothing more. The hon. gentleman says I get my coal free. Well, Sir, I call upon him now to make that statement good. If he gets up in this House to make assertions of that kind he must substantiate them; and I defy him or any other man in the country to say I have received or want any favour from the Government, or that I get one single cent of drawback on this coal matter. I have an interest in steam-tugs, and I had last summer; I had an interest in three tugs running on the river. If I take my coal on board in the United States, and burn it in international waters, how is the Government to get duty on it? You must first catch the birds before you cook them. The hon. member for West Middlesex (Mr. Ross) might just as well say that, if he is in the United States, and takes his breakfast in the city of Buffalo, he must pay duty on the tea he drinks. This was done in the interest of the coal merchants of the counties of Essex and Lambton. If you go into the United States for supplies or coal you need not report at the Custom-house, but if for any other purpose you must pay \$2.50 for report and clearance. If the hon. member for Middlesex, whenever he has occasion to go to the United States, wishes to pay duty on the tea that he drinks there, I am perfectly willing to pay duty on my coal. This hon. gentleman tells us that the Tariff causes discontent in the Provinces, and that the people of England do not like it. Let us for the moment grant this. We know it makes a difference to the people of England and the United States. But I would rather be true to my own people; I would prefer to be loyal to my own people than to the people of England and the United States. But it is not so; the people of England are not dissatisfied with us; the people of England appreciate us, and we stand better in that country; they see to-day that we are trying to open up this country and trying to make a home for the crowds of toiling men of England. It is said that we are offending a few shopkeepers in Sheffield and Manchester by doing this. What need we care? We have a right to do as we think proper; what has been conceded to us. The gentleman opposite tells us in a warning voice to

be careful. I want to know if we are here on sufferance. We are told that we have given offence to the United States. Why, we have paid them the greatest of compliments by copying a leaf out of their book. We are told that our Tariff should be framed so that it would bring about a reciprocity for all countries. I remember on a former occasion delegates being sent from this country to the United States. I was very much interested in the question at the time, because the county I live in had large business relations with that country. Sir Alexander T. Galt was on that delegation; Mr. Howland, Lieutenant-Governor of Ontario, was on that delegation; Mr. Henry, from Nova Scotia, was on that delegation. I was proud of my country when I saw the way in which those gentlemen carried on the negotiations. But what did they offer us? We asked for bread and they offered us a stone. They offered us reciprocity in grind-stones. I thought hon. gentlemen opposite were gritty enough and did not want any more grind-stones. The Government of the hon. member for Lambton was not satisfied with that rebuff, but sent Hon. George Brown from Toronto to Washington, with his hat in his hand, and nothing has come out of it except that this country has paid a bill of expenses. I am in favour of Reciprocity, on equal terms, with the United States, but common sense and decency teaches us that overtures must now come from the Americans. What were we to do under the circumstances? The late Government seemed content to sit here and wait for the prosperity of the country to revive of itself. But this Administration adopted a different plan. They took measures to bring about better times, and every intelligent man must admit they have succeeded in a marked degree. But the hon. member (Mr. Ross) says the people of Ontario have to pay a duty of 60c. a ton on coal. That is a great grievance. In talking as he did, he seemed to be trying to set neighbour against neighbour and Province against Province. If it were not unparliamentary, I would call such talk treason. Lord Redesdale says: "Treason to the people is a much more heinous offence than treason to the Crown." I would like the hon. member for West Middlesex to

understand that the 60c. duty on coal is not felt very heavily in the Province of Ontario; it is yet a wooden country, and there are thousands of cords of wood now rotting in the woods, and there is but little coal used for fuel in Ontario, except in cities and towns, and the large majority of people do not feel the tax on coal, as they burn wood for fuel. I want him to understand that the people of Ontario are willing to stand that tax on coal in order to assist the miners of Nova Scotia. There is no doubt but that the present Tariff is a matter of compromise; but, in talking about it, hon. gentlemen opposite fail to tell us what they would do if they were in power. When they sat on this side of the House, they folded their arms and did nothing. The ship of State might drift on the rocks, but they said: We can do nothing; we have got to the utmost limit of taxation in this country. They tell us that we have raised the taxation of the country. Well, we did so, but we got a little more money in return than they did. To show the House that I am correct, I will quote from the speech of the hon. member for Centre Huron (Sir Richard J. Cartwright) in 1878, in which he foreshadowed direct taxation. [*Vide Debates, 1878, p. 437.*] The hon. gentleman admitted that he had gone as far as he could. He was wedded to the 17½ per cent., but we contended that the revenue should be so changed as to assist the industries of the country, and, as far as possible, to give the Canadian market to Canadians. To show that this hon. gentleman had great antipathy to the cities, I will quote further from that speech. He was desirous of taking the power to manage their own taxation from the cities. [*Vide Debates, 1878, p. 435.*] The House will see that the hon. gentleman wanted to get direct taxes from the people. I cannot see for what other object this language was used. My hon. friend from West Middlesex (Mr. Ross) went into figures to show how much per cent. the people of Ontario paid per head more than the people of Quebec and the other Provinces. I would like to know how he arrived at his conclusion. Can he explain his process? No one could—nobody could give a correct estimate of the contributions of each Pro-

vince. How is he to tell what amount of imports, that paid duty at Montreal, Quebec or Halifax, is consumed in Ontario? It is a mere guess of the hon. gentleman; his whole speech was also a mere matter of guesswork. Hon. gentlemen opposite charged that the Tariff would have the effect of making the manufacturers rich. They appear not to like our having any rich people in the country. They also declare the manufacturers will only be rich for a while, and that afterwards, with greater competition, they will become poor; but meantime they swallow up everybody and everything, and then swallow themselves at last—I do not know any such animal—perhaps the hon. gentleman will explain. I will leave hon. gentlemen opposite to explain this paradox if possible. I do not think the comparison fair as regards the manufacturers. The hon. member for West Middlesex got up, and, parrot-like, repeated the statements of the hon. member for Lambton about the commercial question. Anyone who will look dispassionately at the returns of the hon. the Finance Minister, will see that we are not in the position those hon. gentlemen have described. We can see we are improving already; that there is hope for this country; that the exports are more and imports less for the last six months, and that there is a difference of \$15,000,000 between the exports and imports. If we double that amount for the whole year, we shall see that after the adoption of the National Policy, the country will be better off by those \$30,000,000 than in the preceding year. They have also taken the farmers under their paternal wing. Now, to what extent have the farmers benefitted from the National Policy? According to the return in my hands, I find that the comparison for the six months ending December 31st, is as follows:—

Imports entered for home consumption.	
1878.....	\$41,187,242
1879.....	34,048,894
	<hr/>
	\$7,138,348
Exports.	
1879.....	\$54,283,241
1878.....	46,376,598
	<hr/>
	\$7,907,243
Total in favour of Canada for six months ending 31st December,	
1879.....	\$15,047,591

MR. MCCALLUM.

Balance in favour of the National Policy if the next six months are as good as the last..... \$30,035,182

The country is going to benefit by the increased exports and imports, because the labour engaged in manufacturing the goods formerly imported into the country will be employed here by ourselves, thus keeping the money in the country for the advantage of our own people instead of giving it to foreigners. If those hon. gentlemen will look dispassionately at those returns, they will see that this country has turned the corner, that the present Government has got us out of the disastrous groove the last Government had brought us into, and which soon would have brought us to ruin. I do not say we are going to get rich fast, but we are on the fair way to prosperity. Well, these gentlemen say, of course, that the Tariff is ruining trade. The fact is that we carry more of the products of other countries than we did before, and besides we carry more of our own. If they will only look at the statements I have given, they can come to no other conclusion than that our carrying trade has greatly improved. They say that the farmer is not benefitted, but he gets the benefit of supplying the home market to the extent of \$14,191,000. That is some benefit to the farmers of this country. I know we cannot go into the question of how many bushels are sold, because we have not got the returns, except for the first six months. We were told the other day that the prices got by the farmer had not increased. But I know better, as representing an agricultural constituency. I am an agriculturist myself, and I can tell them that this Tariff has assisted the farmer. The price of oats now is much higher than it was before. Though the crop of oats last year was a good one, the price still keeps up to 33c. per bushel, whereas they used to bring only 24c. or 25c. a bushel. These gentlemen say that we are making of Canada a nation of paupers. They would not allow us to tax ourselves to carry on those great public works, which will be of so great a benefit to this and future generations. The hon. member for West Middlesex (Mr. Ross) told us we promised the people if we got into power we would restore prosperity and confidence to this country.

Well, have we not done so? Have we not fulfilled our pledges. On the 18th of September, the next day after the election, affairs began to improve. On that day the housewives of Canada brushed off the flies from the wheel, as we do the flies from the windows; so we got rid of the hon. gentlemen opposite. My hon. friend from West Middlesex says the hon. the Finance Minister put a tax on wool. Well, those gentlemen will have to stop a long time in the cold shades of Opposition before they can pull the wool over the eyes of the electors of Canada. They tried it, and they have failed. For myself, I would like to see a duty of 4c. a pound on all wool coming into Canada. Why? Because we can grow our own wool in this country. Our farmers could grow any quantity of wool in this country if they only had price enough. We pay taxes on tea, and we do not raise an ounce in this country. I say this Government has benefitted the farmers by raising the duties on coarse goods that were formerly imported at a low rate of duty. We have by this means given the manufacturers Protection, and enabled them to give more to the farmers for their wool than formerly. We shall not again see the wool as low as it was a year or two ago. The farmers of this country understand that question very well, and will not allow those gentlemen to pull the wool over their eyes. The hon. gentlemen want a cheap country to live in. Well, we have a cheap country to live in now. They can go to the Indians on the plains, and live cheaply by the chase. They can go back to barbarism, and then they can live cheaply. But we do not want to do that. We want under this policy to live so that the majority of the people of this country can live comfortably and have the necessaries of life. The object of this Government is to give the workingman a good day's wage for a good day's work. The industry of the country is its wealth. We could not get along in the world without work, and I am sure that Canadians would have no desire to do so. We are told about the promises we made to the workingmen. Well, we told them that the revenue in this country, as far as possible, would be collected so as to give them work. Is there not more employment in this country now than when hon. gentlemen opposite were in the Government and there will be

more and more. As far as the National Policy is concerned, hon. gentlemen hold us responsible. We accept the responsibility. We do not wish for a moment to shirk any of it. They make the excuse that when they were in power they were unfortunate and had bad crops. There is no wonder that the people went back on them because, if a man is unfortunate in all his undertakings, you do not want to employ him. The people were of that opinion, and they got rid of hon. gentlemen. The hon. member for Middlesex (Mr. Ross) told us the other day that the people of this country were leaving for the United States in order to escape the Customs officers. I want the hon. gentleman to understand that the United States is a much more prosperous country than Canada, and when I was on the other side of the House I told hon. gentlemen so. I know it to be so. I have business relations with many parts of the United States; I can speak from my own knowledge. At the same time I want him to understand that the emigrant will have more Customs officers after him there than he will have here, but under the Protective system that prevails there they are able to employ more labour and pay better wages. The hon. leader of the Opposition has found fault with the hon. the Finance Minister because he is going to extend the issue of Dominion notes. I think, if there is any one point in the statements of the hon. the Minister of Finance that deserve favourable consideration more than another at the hands of the people of this country, it is that one question, because we have now to pay so much interest on English capital. We know that it has become a very serious matter for us now to collect revenue enough to pay the interest on on what we owe. I consider that the Government is acting wisely in using the credit of the people of this country among themselves instead of going to England for it. What has been the practice of the Finance Ministers of this country? Each one has acted in the groove that his predecessor did. The present Finance Minister has struck out for himself in the matter of the National Policy, and he is now striking out in the way of a National Currency. If Canadian credit is good enough to borrow English gold to pay for Canadian labour, is it not good

enough to pay for Canadian labour without English gold, on which credit we wish to base a National Currency. It is a matter of confidence in our ability to pay, because, if we are not able to pay the interest on our principal in full, the money-lenders of Lombard-street will not give us a dollar. In going to England, we said we wanted \$100,000,000 to build this Pacific Railway, or to make other public works. I have come to the conclusion that it will cost us five millions a year interest, including the management of the loan. In thirty years the people of this country would have to pay \$150,000,000 for the use of that \$100,000,000, and still have the principal to pay. But supposing we extended the policy brought down to the House, by accepting the currency system suggested of legal tenders and bonds, the one changeable with the other, at the option of the holder; supposing we want this year \$10,000,000 or \$20,000,000; if you want \$20,000,000 say, issue \$10,000,000 in Dominion notes, and \$10,000,000 in bonds at interest at 4 per cent. thereon, payable semi-annually in gold, the Dominion notes, of course, paying no interest at all, the one convertible with the other at the option of the holder, the result would be a cheap loan to the country; and, Sir, who will deny that we should have cheap money? Capital and labour are joint partners in producing wealth. Whenever capital is paid more than fair interest for its use, labour must suffer, and only gets what is left, or, in other words, the money lender gets his pay whether business men suffer or not. Under such a system interest would get so low that 5 or 6 per cent. could not be got, and people would change their currency for bonds paying 4 per cent. We should thus get a loan from the people of this country; and, if we issue that \$100,000,000 in that way, it would cost this country only about 2 per cent., because, issuing it in half-and-half, the bonds at 4 per cent. and the Dominion notes paying no interest, we should thus be getting a loan at 3 per cent. less than it could be got otherwise. It is said that, if this system were adopted, the people would tell you that, if you did not have gold as a basis, no one would accept it, and that we could not pay for our imports without gold as a basis. I would ask

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how you pay for it now. You do not do it with gold. The exchanges of this country are not carried on by gold now. You pay by your exports, and I consider that the balance of trade would soon be in our favour, and that our exports will be greater than our imports, so that there will be no difficulty in getting exchange. It is the very thing, and should be adopted. I can say that you will have no less gold then than now, but you will have less need of it. How do you get gold now? We get it in exchange for exports, and emigrants bring it into the country, and we dig it out of the ground. Any man in his senses can see how well this National Currency would work to our advantage. Will we have less exports and less emigrants? Certainly not. And we shall have more gold and less need of it. The hon. member for Lambton (Mr. Mackenzie) could not let the chance go by without having a slap at a friend of mine. He said in his speech, a few days ago, in reply to the hon. the Minister of Finance:

“There is a famous financier in Hamilton, in the employ of the Government, who, in his original scheme for paper money, made his currency notes, which were to be redeemable in paper coloured yellow, in order to resemble gold as much as possible. The hon. gentleman intends to have 15 per cent. in gold, and 18 and 10 per cent. in yellow paper, I suppose.”

He has gone out of his way to give a slap at a good, able and honest man, who has done as much as any man for the good of this country, but they must have a slap at somebody. I am not going to detain the House any longer.

Some HON. MEMBERS: Go on.

**Mr. McCallum:** I do not wish, as I have said, to detain the House any longer, but, if they wish me to go on with their history, I can give them as much as they want. I do not wish to say anything about them individually. I know them collectively, and the country knows them and knows no good of them. They are where they will remain, in the cold shades of Opposition. I thank the House kindly for the patient hearing they have given me, and I will now take my seat.

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

#### After Recess.

**Mr. Oliver:** It is my desire to make a few remarks upon this very important

subject, which has engaged the attention of the House for the last few years. I do not purpose taking up much of the time of the House, but certainly it is my duty and my privilege to say something upon a subject which is of such great importance to the people of this country. I listened to the hon. member who addressed the House before recess, and I must say that we had in that speech a little of everything. It reminded me of the Yankee, who, when he went to a hotel, always took some hash for dinner, for the reason that when he took hash he had a little of all that was going. Such was the speech of the hon. member for Monck (Mr. McCallum). I think that the remarks he made with reference to the paid Secretary who attended to the affairs of the Dominion at Philadelphia, three years ago, were uncalled for. We know that a house was rented by the Government for the use of the Board of Commissioners, and not only for their use, but for the use, to a large extent, of Canadians who visited the Exposition. The Commissioners received nothing for their services; their time was given to the country for nothing. Of course, the Secretary was paid, and he had to be hospitable to the Commissioners as well as to the Canadian visitors, and, as a matter of course, he had to provide some of the luxuries of life to dispense to the Canadian people. I do not approve of having such things brought before a legislative assembly. We know that that has been the practice in the Province of Ontario recently. It is known that a return was brought down which showed the expenses of the Lieutenant-Governor's trip through the western part of the Province and Manitoba; and I may say that the only difference in that respect between Conservatives on that side of the House and the Reformers on this side is that the former are able to cover up their tracks more successfully than the Reformers. We find that, when any expenditure is incurred by the Reformers, a plain statement is made of that expenditure, and for what it was expended. But we find that, when the Conservatives take a pleasure trip, the expenditure is covered up under some other head. We found that, in Ontario, in 1871, when the Commissioner of Crown Lands took a trip in the direction of Lake Superior, \$500 or \$600 were expended in luxuries: in

brandies, whiskeys, wines, cigars and tobacco; and this was covered up under the head of "Colonisation Roads." This shows clearly the difference between the expenditure of the Reformers and the expenditure of the Conservatives. During the course of his remarks, I heard my hon. friend from Monck state that the Tariff would bring about Reciprocity. I think I heard the hon. the Minister of Finance make a similar remark. I have read the same statement in the Conservative press, and I have heard it at public meetings throughout the country. Well, Sir, there is a difference of opinion as to whether it will bring about Reciprocity or not. I find that there are some very high authorities who think that it will bring about something else sooner than Reciprocity. Let us take the opinion of Mr. John Bright as to what will be the result of the Reciprocity Treaty. In answer to a letter from Mr. Forbes, published in to-night's paper, he makes the following remarks with regard to the course taken by the Canadian Government:—

"I regret the course taken by the Canadian Government. I regard it as the first step in the direction of separation from the Mother Country. If the Colonies were wise they would follow our example. If they will not do so we must leave them to their own course, but I think they should not come here for loans or for guarantees for loans."

That is the opinion of Mr. John Bright, and I say that the first step has been taken towards the very course which he mentions. I find there is to be an exhibition in the Australian Colonies during this spring, and the report of the hon. the Minister of Agriculture shows that he has appointed an American to represent Canada at that exhibition. Is this not one step towards annexation? Is it an acknowledgment that we have not a single person in the whole Dominion that is fit to represent Canada at the exhibition of the Australian Colonies, and that we were obliged to borrow Mr. William Cameron, one of the New York Commissioners, as our representative.

MR. POPE: He is a British subject.

MR. OLIVER: I apprehend that he is an American, or he would not have been appointed on the New York State Commission. I hold in my hand a clipping from the *Western Morning News*, a paper that is published and

circulated extensively in England. It reads as follows:—

“Are not our manufacturers neglecting the Australian International Exhibitions? Great complaints are made by the Colonists of the indifference of the Mother Country. What is more important, the vigorous patronage of the United States is quoted with effect as a contrast. America seems to have made up her mind to win the Australian trade, and, if she does, she will wear another feather in her cap, and England will, in a sense, have to pay for the plume. A time when Canada is discussing Reciprocity with the States to the exclusion of England, is hardly the time for giving a slight to the Colonies, which in every sense are still loyal.”

This is as much as to say that more attention ought to be paid to the Australian Colonies than to Canada, because they are more loyal to Great Britain than we are. We heard a great deal from the hon. member for Monck with reference to the balance of trade. There was also a great deal in the Budget Speech with regard to the same subject. I have satisfied myself that there is a great deal of delusion in this balance of trade question. I have been looking over the statistics of France, and I find that, in 1868-9, previous to the Franco-Prussian war, when the country was in a prosperous condition, the balance of trade was against her to the amount of £24,000,000 sterling for two years. In 1872-3, immediately after that disastrous war, so far as France was concerned, the balance of trade was in favour of France to the amount of £18,500,000. I find that in 1876-7, after France had fully recovered from the effects of that tremendous war, the balance of trade was against her to the amount of £27,000,000 sterling. We find, also, on looking at the trade and navigation returns of France for 1878, that the balance of trade was against her to the amount of £43,646,000 sterling. This is proof positive that a country may without injury have the balance of trade against it when prosperous. But, coming to our own country, I think I have sufficient proof to convince the hon. member for Monck that the balance of trade against a country is not an indication of poverty. In the return of July 1st, 1857, it is shown that the balance of trade was against Canada to the extent of \$12,424,000. Now, the most prosperous time which Old Canada ever saw, was immediately before that year. I

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find that, in the following year, 1858 there was a deficit against Canada of \$3,375,000, under the John A. Macdonald Government, and that the balance of trade had been reduced from \$12,000,000 to \$3,000,000 against Canada. In 1860 there was a balance of trade in our favour of \$184,000. In 1863, however, the balance of trade rose to \$3,500,000 against us, and in 1867, the year in which Confederation took place, the balance of trade was \$10,552,000 against Canada. In 1872, 1873, and 1874, the most prosperous year we have had since Confederation, the balance of trade was against us to the amount of \$105,000,000, or \$35,000,000 per year. It fell to \$80,000,000 in the years 1875, 1876, and 1877, or \$26,000,000 a year. But I have still higher authority in support of the proposition. I turn to the Budget Speech of 1873, when the Hon. Mr. Tilley was Finance Minister. We all looked upon that hon. gentleman then as one of the fittest men to manage the financial affairs of the Dominion, and believed that he had a thorough knowledge of the commercial interests of the country. What did he say in that Budget Speech? He pointed out the wonderful progress the country was making, and, as an evidence of that progress, he alluded to the very large amount that was invested in bank stocks. He called attention to the steady progress made in the value of the exports and imports since the commencement of the Union. He gave the imports for the five and a-half years since Confederation, but I will not trouble the House by reading them in detail. He also gave the exports for the same period. The imports, during the five and a-half years, he pointed out, amounted to \$478,071,000, and the exports to \$401,926,000, showing a balance of trade against us for that period of time of \$76,145,000. He concludes the paragraph in the following manner:—“This is another evidence of the steady and progressive prosperity of the country.” Now, here is the authority of the Hon. Mr. Tilley in 1873, and it will be seen that the Finance Minister of that day disagrees with the present Finance Minister. The Finance Minister of the present day says that the balance of trade being against a country is an evidence that that country is not in a prosperous commercial

condition. The hon. member for Monck joins him in the statement. Are we to rely upon the statements of the hon. the Finance Minister to-day or upon the Finance Minister of 1873? I think it would be safer to take the statement of the Finance Minister in 1873 than the statement of the hon. the Finance Minister in 1880. Then there was another statement made during this discussion. It was made by the hon. the Minister of Railways, who said that the liabilities and great obligations under which the present Government are labouring were handed down to them by the late Ministry, of which the hon. member for Lambton was the leader. Is this statement correct or incorrect? If correct, then it ought to be accepted. If it is not correct, then little faith or reliance should be put upon the statements of any hon. gentleman who would rise, with all the assurance possible, and make such an assertion in Parliament. What are the obligations resting upon the Ministry of to-day? They have got to complete the inland navigation of the country, the Welland Canal, and a large share of the Pacific Railway. Were these obligations undertaken by the late Government, or by the Government in power in 1873? Anyone who looks into the Public Accounts will conclude that all those great public works were handed down by the Government of 1873 to the Government that succeeded it, in the latter part of 1873. I find that the late Government spent upon certain of those works the following sums:—On the St. Lawrence Canals, about \$3,000,000; on the Welland Canal, about \$7,000,000; on Ottawa works, \$1,400,000; on Nova Scotia and New Brunswick Railways, \$1,350,000, that is up to the 20th February, 1878; on the Intercolonial, \$6,000,000; Pacific Railway, \$8,300,000, and on Ottawa works about \$300,000. Now, many of those public works have not been completed, and they are handed down to the present Government, who, I suppose, will feel they are obliged to carry out and finish certain of them. The hon. the Minister of Railways stated the late Government were responsible for the commencement of those public works. Is this true or not? In turning over the records of Parliament, I find that the Finance Minister, in 1873, immediately after the Session, went to England to

borrow money, and borrowed about \$12,000,000. Why? If not to carry out and develop the public works of the country, which they had entered into. I have another evidence here which is sufficient, I suppose, to convince the hon. the Minister of Railways and the hon. the Minister of Finance that these works were undertaken by the Government in power in the beginning of 1873. Here is an extract from the Budget Speech of the hon. the Finance Minister in the Session of 1873, on page 16:—

“We are about entering upon new and increased engagements involving a very large sum of money. We are entering upon works—we have already done so—which will require a large increase of our debt. We have \$10,000,000 to expend on the Intercolonial Railway; we have \$30,000,000 for the Pacific Railway, and the Canal system that has been accepted by the Government will involve an expenditure of at least \$20,000,000.”

Now, I think that this is sufficient proof that the Government of that day undertook the construction of those large public works, and that they were handed down as a legacy to the late Government, in place of them being a legacy from the late to the present Government. I find also in the Public Accounts that, during the time of the late Government, from the 1st January, 1874, to the 28th February, 1878, there was spent on public works, out of capital, borrowed money, the large sum of \$2,000,000; and out of revenue they spent on the improvement of rivers, public buildings and harbours and piers the very large amount of \$2,671,000. After having spent that, the whole increase of the ordinary expenditure from 1873-4 to the 1st July, 1877, was only \$200,000; so that, as to the public works imposing great burdens on the shoulders of the present Government, they were undertaken and commenced by those hon. gentlemen when in power, in 1873, and previously. We have heard a great deal about the great prosperity enjoyed by the country at present. I have endeavoured to see it, and have looked in various directions to ascertain where it exists; and there is one evidence here, contrary to the statements of hon. gentlemen opposite. I find there is no better test of the prosperity of the working classes of our country than the Dominion Savings Banks Accounts. In 1876-7,



their deposits amounted to \$5,726,000, and, in 1877-8, they had increased to \$7,427,000, an increase in the year of \$1,700,000. On looking at the following year, what do we find? That the depositors in the Dominion Savings Banks had withdrawn their deposits to the amount of \$551,000. Apparently, this is an evidence that the working classes had to draw their deposits in order to pay their current expenses. There is another evidence. Anyone that will enquire into the value of real estate, in any section of the country, will come to the conclusion I have reached—that its value is not as much to-day as two years ago by 10 to 15 per cent.

Some HON. MEMBERS: Twenty-five per cent.

MR. OLIVER: Yes, in some sections. In my own section, improved farms, with buildings upon them, could be sold as high as from \$75 up to \$100 an acre two years ago. Now, there is not a farm that would sell for more than from \$60 to \$70 an acre; and this decrease in value is witnessed also in the Province the hon. the Finance Minister comes from, and, I am told, in Nova Scotia as well. Perhaps the hon. gentleman will say the decrease with us is in consequence of the large number leaving the western section of the Dominion for the North-West Provinces. How would that answer apply to Nova Scotia and New Brunswick? The people of that section, instead of going to the Canadian North-West, are going to the American States—the great bulk at any rate. Again, take the rents of properties—a very good guide to go by—in the cities and towns in any section, and you will find they are less to-day than two years ago. In some cities—and I am told that St. Catharines is in a most deplorable condition, so far as rents are concerned—tenants are reported to enjoy the privilege of living in houses without paying for them.

MR. RYKERT: You have a bad authority.

MR. OLIVER: I will give you my authority before I have done—it is a good Conservative organ. I am not going to enter into the subject of the value of stocks, nor the number of insolvencies during the last year; but we all know that, for whatever reason, stocks fell

enormously, that they are now lower than ever, and that there is a want of confidence in some of the institutions of the country, and that bankruptcies have wonderfully increased. We come to the evidence of the great prosperity said to prevail—the people leaving the country. I examined the returns made to the American Government, and found that, during 1877 the following numbers left this country and settled in the United States:—

1877.

Quebec and Ontario, twelve months..	16,063
Nova Scotia, “	.. 3,467
New Brunswick “	.. 1,457
Prince Edward Island “	.. 487

Total.....21,474

And for the six months of 1879, from January to July:

1879.

Quebec and Ontario, six months....	10,810
Nova Scotia “	.... 2,074
New Brunswick “	.... 2,004
Prince Edward Island “	.... 258

Total.....15,146

This is the way the people of the country have been leaving for the States. Yet we are told it is prosperous, that the people are happy, and are staying at home. The difference in favour of 1877 is over 9,000. Now, we come to Hamilton, and, if there is a city in the whole Dominion that ought to be benefitted by the imposition of a Protective Tariff, it is Hamilton. It is the centre of the manufactures of Ontario, and has always been so regarded. The hon. the Finance Minister will agree with me that it is the most important manufacturing centre in Ontario. In 1878, there were in Hamilton 377 empty houses, and in 1879, 528, or an increase of 15 per cent. for one year. This is the evidence of its prosperity. In Ottawa, at present, there are over 700 empty houses, and this is a fair sample of all the cities and towns in the country. But I have an authority I wish to cite to hon. gentlemen opposite; the *Halifax Reporter*—I think a Conservative organ—which has felt the pressure of the hard times so severely as to have had to take advantage of the Insolvent Act recently. I read the speech of the hon. gentleman who moved the Address in this House (Mr. Richey), and you would think by it that the city of Halifax was a per-

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fect garden of Eden, that everything was prosperous and happy in that favoured section. But what says the Halifax Reporter?

“Walk through any of our streets and you will find warehouses, shops, factories or dwellings closed up, and there are dozens of houses occupied by persons who pay a mere nominal rent or none at all, who are permitted to live in them on sufferance, liable to be turned out at any time, because the owners know that they can insure them on more favourable terms if occupied than if empty. Every steamer, and nearly every train that has left this port and city during the past summer, fall, and winter, has taken more or less people who have given up in despair the struggle to make a living here, and go elsewhere in the hope of striking some work. It will be infinitely harder to entice these people back than it would have been to have kept them here.”

It was often stated, and before the last elections, also, that the workingmen were to be benefitted by the National Policy—were to have steadier work and higher wages. Now, it is stated on the other side of the House that the Government has fulfilled all its pledges to the people. Has every promise been fulfilled? Is the pay of the workingman increased? I have heard it stated here that it is not, and I have not heard the employers of labour in this House or out of it try to contradict the statement. If the employers supporting the Government could honestly contradict the assertion that labour has not increased in value, they would have done so. I have read in the press of hon. gentlemen opposite that the trade of Ontario and the financial condition of the labouring class of this city was better now than previous to the adoption of this Tariff; the argument used was that there was no soup-kitchen in Ottawa this winter. What happened only a day or two afterwards? The journal which is the organ of the Government here published a financial statement of the expenditure and revenue of that same soup-kitchen, that had been running all the winter. We have further evidence of the poverty of the working classes in the statements made by the representatives of Prince Edward Island, and we have a striking representation from Nova Scotia. We find that, financially, it is bankrupt, and knocking at the door of the Federal Government, asking it to save the Province from bankruptcy, by handing over a portion of the Fishery Award. A similar

statement is made by the members from Prince Edward Island, the majority of whom are supporters of the Government. I think only one of them voted against the Tariff. They all come now and say the Tariff policy has injured the Island, and that to recoup them for the injury sustained they will have to get part of the Fishery Award.

AN HON. MEMBER: And if they do not?

MR. OLIVER: And, if they do not, they will put themselves in the same position as the people of British Columbia did a short time ago—ask for secession. I see that, in the Legislature of Nova Scotia, a gentleman has given notice that, unless a part of the Fishery Award is given to that Province, he will move in the legislative halls that the Province secede from the Dominion. Now, we have another high authority, the Manager of the Intercolonial Railway, who testifies that the country has not prospered under this Tariff. We find that the Manager, Mr. Pottinger, in his report, states: “The prevailing depression in all kinds of business has so affected the traffic of the road as to cause a considerable decline in the gross earnings.” That is high authority that the country is not in that prosperous condition gentlemen opposite would like to have us believe. Now, there is another evidence. There was laid upon the Table of this House a petition from the city and county of St. John, represented by the hon. the Finance Minister, and does that say that the Tariff has benefitted that particular section of the country? And be it remembered that there are 3,000 voters’ names to that petition, and only about 4,000 in the division altogether. Now, I come to some of the objections which I take to this Tariff, as the representative of a large agricultural county. The first is the tea duty. It has been said that tea has not increased in price. That statement is not correct. We find that, by a return laid before Parliament the other day there has been imported from the time the Tariff Bill was passed to the 31st of December last the large amount of 2,129,000lb. of tea from the United States, and that tea paid 10 per cent. discriminating duty. Well, now, if tea had not increased in price, and the Americans had paid 10 per cent. more

duty than the importers in the city of Montreal, if the importers of that city had imported it at 10 per cent. into this country less than the Americans, and had sold their tea at a reasonable rate, how is it possible for the Americans to sell their tea here? It is quite impossible. Put 10 per cent. against them, and, if the Canadians had sold tea at a reasonable rate, the Americans could not have sold it. The great objection to the tea duty and the discriminating duty, and the extra duty put upon sugar, is the fact that that duty does not go into the Dominion Treasury. It goes into the pockets of the manufacturers and the importers. Now, everyone that knows the export wholesale price of sugar in the city of New York, and adds the old duty to it, and the cost of bringing it to Canada, will find, when they compare it with the prices in Montreal, that we get it laid down from 1c. to 1½c. less per pound. There is another objection we take to the sugar duty, and it is that it is diverting the wholesale trade from Ontario. It is destroying the wholesale trade in sugar in Ontario. I find by a return that was brought before Parliament, a few days ago, we imported in 1878 of sugar direct into the Province of Ontario 32,000,000lb., and we imported, in 1879, 9,000,000lb. We lost the profits arising from the importation of 23,000,000lb. of sugar. The city of Montreal got the benefit of that. We find that in the Province of Quebec they imported in 1878, 19,000,000lb., and in 1879, 48,000,000lb. Now, the great objection to the removal of the import trade from the Province of Ontario to the Province of Quebec is, in my opinion, that the importation of sugar into this country is done mostly by one large firm, and when there are any profits they are all made by one firm, and the other merchants of the country do not participate therein. We find that there has been an increase in the price of sugar during last fall, and that the Redpaths made by that increase a profit of some \$800,000 at one time. Now, if this Tariff had not been in existence, that \$800,000 would have been distributed all over the Dominion; the merchants who held sugar and imported sugar into the various cities of Ontario and the other Provinces, would have par-

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ticipated in the increased profits of the increased price of sugar.

MR. GAULT: They have two sugar refineries in Montreal, competing very closely with each other.

MR. OLIVER: Not hard enough, I imagine, to harm each other much. Another objection I take is to the extreme Protection that is afforded to the manufacturers of cotton. It is impossible now to import cotton into this country to compete with the Canadian manufacturer. We have now three or four manufactories of cotton in this country, and what is the result? Every merchant in this country is at the mercy of these institutions. The merchants of the west at one time were in the habit of going to the city of Toronto or to Montreal to buy their goods at certain periods of the year. But a merchant doing a retail trade does not want to import a sufficient quantity of cotton to supply his retail trade for six months, and, when he purchases cottons, he purchases enough to supply him for the six months, giving his order for the cottons to be shipped to him at certain periods during the six months at a quotation. Now he cannot do this. If he goes to those institutions now, and wants a certain quantity of cotton to be sent to him at once, a certain quantity at two months and a certain quantity at three months, he cannot get a quotation for the cotton. He does not know what price he will have to pay for it. The manufacturers tell him: We will quote the prices of cotton that is sent to you to-day, but we cannot give you the quotation for cotton that you want six months hence; you will have to take the cotton without and cannot help yourselves. That is the position the merchants of our country have to take with reference to those institutions that were making 16 and 18 per cent. profit before the imposition of this duty.

MR. MACKENZIE: They are competing with each other, too.

MR. GAULT: Some of them are making no profit at all.

MR. OLIVER: The prices of all iron and steel manufactures are increased to a large extent.

MR. JONES: No.

MR. OLIVER: The hon. gentleman says "no." There is not a six-year old boy from one end of this Dominion to the

other who does not know that the prices have gone up. You cannot buy 100lb. of nails to-day without paying for them at least a dollar higher than before the imposition of this duty. There is another evil connected with this Tariff, and I consider it one of the greatest evils that can affect any country, and that is, the encouragement it gives to smuggling from one end of the Dominion to the other. Go to the Detroit River, to Windsor, Sarnia or Amherstburg; go into any of those towns on the frontier; go to the line between the Province of Quebec and the United States, or to the line between New Brunswick and that country, and all you have to do is to cross the line in the course of the day, buy what goods you want, and tell them that your kitchen door will be open, and you will find the goods there next morning. If you want a barrel of oil, all you have to do is to tell them that your barn door will be open, and you will find the barrel of oil put upon the stock next morning for you. That is all that is to be done. Notwithstanding that there are detectives appointed upon the Detroit river to detect and ferret out smugglers, there are parties continuously crossing, day and night, and bringing goods from that country. Now, it is said that this benefits the farmers. My hon. friend from Monck (Mr. McCallum) said it would benefit the farmers because it would give them a home market, and the next moment he proved that our exports were larger than they were before. Now, how can that be? If our exports of the products of the soil, of animals and other things have increased, how is it possible that the farmers have a larger home market than before. Now, we find that the only thing that has increased in price is wheat. We know well why that is. It is known that it was the failure of the wheat crop in Great Britain and Europe that caused the increase of price, and we had an extra good crop. But suppose there had been a fair average price in Europe last year, and that we had had a small crop, I venture to say the price would not have been over 80c. a bushel. We also find that the price of barley is lower than before. The right hon. gentleman who leads the Government said that as soon as 15 per cent. was put on barley, the price would be increased to the Canadian pro-

ducer by 15c. per bushel. Has that prediction been fulfilled? We find that before the defeat of the late Government barley was worth \$1.10, and the highest price now is 80c. per bushel. We find that the price of oats, peas and other cereals are in some instances lower than before and in some instances higher. We find also that live stock has decreased in value since that time. I am not saying that it is the National Policy that has brought down the prices, but I am merely stating that the arguments adduced by hon. gentlemen opposite before the last election were unsound, and the predictions made by them have not been realised by the country. We find in the new Tariff another little sop to the farmers. We find amongst the schemes of the hon. the Finance Minister one of the greatest marvels ever advanced on the floor of Parliament, and it is that of a tax of 3c. a pound on long wool, of which we do not consume a pound in this country. It was said by the right hon. gentleman that the American policy was an unscientific policy, but the policy he was going to carry out in this House would be a scientific one. All the wool we manufacture in this country and import is short wool from the Cape, from the Australian Colonies and South America. Now, the hon. the Finance Minister, perhaps, is not aware that we raise not only long wool, in this country but short wool. Whether he is aware of it or not he is giving protection to one farmer and to another farmer none. Here is a farmer with a flock of one hundred long woolled sheep, and his neighbor has a flock of one hundred South downs on an adjoining farm. The farmer with the long woolled sheep has a protection of 3c. per pound, while his neighbour with the South-downs has no protection. Would the hon. gentleman explain what science there is in that. We imported last year 4,976,000lb. of wool, every pound of which was short wool, and every pound of that wool came into competition with the short wool raised in this country. Why, if the long wool, which we do not manufacture in this country, is protected, should not the short wool, that we do manufacture, be protected? It will be difficult for the hon. gentleman to explain where the science comes in in this item. Now, we

find another piece of science in this Tariff. A year ago I tried to convince the Government that it would be wise to give the people of Manitoba and British Columbia the privilege of importing stock free of duty. But the Government would not adopt that view; it was scientific to put a duty upon them, and I understand now they are about to give the privilege of importing stock into that country free of duty, and thus that which was science last year is not science to-day. Now, what does that scientific policy cost us? The hon. the Finance Minister had a great deal of help in producing this marvel. We find that he had the assistance of W. H. Frazer, Senator Falre and others, and that there was paid for outside help \$3,999. There is another serious objection to this Tariff in the duty that is imposed upon western corn. We find that there is a large trade developing between this country and England in the export of beef. By the imposition of 7½c. upon western corn, the price of raw material for feeding this stock is increased to that extent, and we are less able to compete with the Western States in the English market in the item of beef. Another thing is that it puts the English and Scotch feeders upon the same footing with the Canadian feeders, 3,000 miles away from the English market. One of the English delegates to this country stated to myself last summer that they were laying down western corn in Liverpool at the same price that was then being paid for it in Canada. Now, this is an injury to the Canadian feeder, and the sooner it is remedied the better for this new industry that has grown up in this country. I have done with that, for I believe that the whole Tariff has been an injury, with the exception of a benefit to the manufacturers of cotton, the manufacturers of wool, and the refiners of sugar; but I desire before I take my seat to make a few very short remarks with reference to the finances of our country. We have heard that the late Government, which was lead by my hon. friend from Lambton, was the most extravagant Government that ever ruled in this country; that the present Government since they came into power have been going on reducing the public expenditure, that, in order to reduce the expen-

diture, some 200 or 300 hands have been dismissed from the Intercolonial Railway, and that a large number of employés have been dismissed in the Dominion from the various services for the same purpose. What do we find on comparing the Public Accounts with the Estimates now before the House, and that is scarcely a fair comparison, for the simple reason that, in all probability, before this House rises, we will have Supplementary Estimates adding to the present Estimates. We all know that, for a large amount which appeared in the Public Accounts of 1878-9, the Government was not and is not responsible. I find, by a comparison of the Public Accounts of 1878-9 with the Estimates now before the House, that the amount of interest on loan has been increased by the sum of \$543,000. If there was one thing my hon. friend was condemned for by hon. gentlemen opposite, it was for having increased the Public Debt and the yearly taxes of the people to pay for the interest on that Public Debt. We find that Civil Government has been increased by \$56,000. We find that the Administration of Justice has been increased by \$30,000. We find that the Pension and Superannuation payments have been increased by \$25,000. My hon. friend the member for Lambton (Mr. Mackenzie) was charged that the Pension and Superannuation sums had increased too rapidly during his Administration. We find that, in regard to Customs, the increase is \$4,854. I remember the elaborate statements that used to be made by the present Minister of Customs to show that the percentage, as compared with the collection of the Customs duties, was greater under the Administration of the late Government than under the Government which preceded it. Now, Sir, with all his pretensions, with all his elaborate statements, we find that he has been compelled to increase the expenditure of that Department by \$4,854. We find that the hon. the Minister of Inland Revenue has also had to increase his expenditure by the large amount of \$24,000. We find that the Post Office expenditure has been increased by \$67,000. We find that the total Estimates amount to \$25,007,203, to which ought to be added \$300,000 for surveying Dominion lands in the North-West. In looking over the Public Accounts, I find that the Adminis-

tration of the right hon. gentleman, previously to 1873-4, paid for surveying Dominion lands \$735,601; and during the Administration of my hon. friend the member for Lambton he paid out of revenue \$667,981 for that service, making in all \$1,403,582. If there is one proof of the deplorable condition of the country it is that we have to borrow money to survey our lands in the North-West. Why should that \$300,000 be charged against capital account instead of, as it was, against revenue account? It is to lessen the estimate for Consolidated Revenue, and make it appear to the country that hon. gentlemen opposite have kept their Estimates down to the very lowest figure. The Public Debt of the Dominion was \$147,481,557 when my hon. friend from Lambton left power. When he took office it was \$140,000,000. Now, according to the Public Accounts of 1878-9, since that time the hon. the Minister of Finance has borrowed \$15,000,000. There is a scheme before the country to make a forced loan on the people of this country to the amount of \$10,000,000. That will increase the Public Debt of the country to \$172,481,557 or, taking the population at 4,000,000, the Public Debt will amount to \$43 per head. The debt of the United States is only \$46 per head, after going through one of the most gigantic civil wars that ever afflicted a civilised country. In the Dominion we have a debt of \$43 per head, and we have never had a struggle of any description, and we have never had a life lost, except one or two, in the change of Government or the settlement of established Government throughout the length and breadth of this country. If there is a party in this country in favour of annexation, and it is said there is, although I do not know that there are any in my section of the country, it will be one of the strongest arguments in their possession that we are increasing our debt while the United States are reducing theirs. It is time for the people of this country to pause and think of what they are doing. It is time for them to pause and consider what the future of this country is going to be. When we find that the adjoining Province of Quebec is \$10,000,000 or \$12,000,000 in debt, when we find the Province of Nova Scotia making demands upon the Treas-

ury, when we find gentlemen here from Manitoba asking for better terms, when we find the whole of the people dissatisfied from one end of the Dominion to the other, with reference to the finances of the Dominion, it is time for the people of this country to halt and pause and consider what they are doing. I consider that we ought to be careful in the large expenditures which we are undertaking at the present time. Why, Sir, there should be nothing undertaken until our finances are in a better condition. There should be nothing undertaken that has not been contracted for and entered upon by the contractors with the Dominion Government. All public works, except works of absolute necessity, ought to be put a stop to. Look at the enormous amount of money that it will require to build this gigantic Pacific Railway, from the eastern slopes of the Rocky Mountains to the Pacific Ocean. Add the amount that will be incurred in the construction of that work to the present Public Debt, and you will find that the debt of Canada will greatly exceed that of the United States. I hold that every public work, both for the improvement of navigation and the opening up of the country with railways which are not absolutely necessary, and which have not been entered upon, ought to be discontinued. There is only one more matter which I desire to refer to. We have heard a great deal about the writing on the wall since this discussion commenced. It has been stated by hon. gentlemen that the National Policy was not an issue during the last Local election, but I think the House has received sufficient proof to warrant the conclusion that it was. I have, however, one or two other items of proof which will further convince them that it was an issue before the country previous to and during the last election. What says one of the Conservative organs just previously to the last election:

“The Grits hope by their raving; to make the Tilley Tariff so unpopular before the Local election that they think Mowat may squeeze in by a narrow majority, and thus hold the Ontario Government. They will fail, however. The Local Opposition are not afraid to go to the country on the National Policy, and to show their colours they have put themselves on record in the Local House. They moved the following resolution: ‘That this House, while deeply regretting that the country still continues to

suffer under depression, is of the opinion that the depression might have been mitigated by judicious legislation; and further regret that the members of the Executive Council of the Province of Ontario did, during the late Dominion Elections, identify themselves with the policy of those who opposed legislative measures tending to the relief of the industries of the country."

That resolution was put upon record in the Local House of Assembly. I have another nice little piece from the flourishing city of Hamilton, that magnificent centre of commerce and manufacturers. This is what that city did before they elected a gentleman to represent them in the Conservative interest. I will read the preamble and the resolution. They are as follow:—

"That this Convention recognises in the new Tariff now before the House of Commons a faithful and an honest fulfilment of the promises made to the people by the leaders of the present Dominion Government.

"That, in the opinion of this Convention, the said Tariff is well calculated to promote the prosperity of the country and to develop its industrial resources.

"That the Ontario Government, having used its influence and its patronage to prevent the adoption of the said Tariff, there is grave reason to apprehend that it would use them to embarrass the Dominion Government in their effort to give the said Tariff full effect, should the said Ontario Government be sustained in the approaching elections.

"It is therefore resolved, That, in the opinion of this Convention, the Ontario Government is not entitled to the support of the electors of this Province."

That was the resolution passed in the city of Hamilton when they were selecting a gentleman in the Conservative interest to become their standard bearer. What did my hon. friend from Hamilton (Mr. Robertson) say on the strength of that resolution? He said that, if a Reformer or a Grit was elected at Hamilton to support the Mcwat Government, he would consider he was sitting as their representative under false pretences.

Mr. ROBERTSON (Hamilton): I merely wish to remark that the statement of the hon. member for North Oxford is not in accordance with the fact. I never made such a statement. It has been contradicted over and over again in the press, and I am astonished that he should reiterate that which, of his own knowledge, is not a fact.

Mr. OLIVER: I do not know of my own knowledge that it is not a fact. I think the hon. member for Hamilton is a

little too strong in his remarks. I accepted the statement, which was not corrected, and which appeared in the public press, that, when this resolution was passed, the hon. gentleman said that, if the Conservative candidate was not elected, he would consider he was representing the people of Hamilton under false pretences. If the hon. gentleman did not say that, I accept his denial of it, but I would like to know what he did say with respect to that resolution, or if he said anything at all. The published statement not being contradicted, I was under the impression that the hon. gentleman had changed his views from that time, and that he thought that if he was to represent the people of Hamilton under false pretences, the best thing he could do was to represent them for the balance of the period under false pretences, for he was never going to be returned again. This is what I considered the view of the hon. gentleman. I thank the House for their great kindness in paying such attention to the remarks I have made.

MR. SPROULE: I have listened with some attention to the remarks that have been made with reference to this Tariff by the hon. gentleman, who appears to have included in his speech denunciations against every member of the party favouring this Tariff who has spoken on the subject. He said at the commencement of his address that he was not likely to detain the House long. After that, he travelled over the greater part of this country from the east to the west, from Nova Scotia to Vancouver Island, and from the south to the north. He called up every shade of argument against the National Policy in support of the position he has taken, and the position that every other member in this House on the Opposition side has taken. He said just before closing that he believed, in some cases, there had been an increase in prices, but at the same time he was not going to say it was due to the National Policy. They have always failed to recognise or to admit anything good as coming from the National Policy, but, wherever there has been a lowering in the price, they have been only too anxious to attribute that to the failure of the National Policy. About a year ago this House was employed in a most animated discussion in reference to

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the prospects of the new Tariff, and it was then a matter of theory. That theory was based upon substantial reasoning, and is largely borne out to-day, and will satisfy any reasoning mind that the opinions then promulgated were well founded. It was predicted that the National Policy would not be a boon to the labourers of this country, but we are able to prove that the National Policy has been a great boon to the labourers of this country. It is only by comparing the condition of the labourers a few years ago with their condition to-day, that we are able to form a correct opinion as to whether it has or has not been a benefit. We are not in possession of very elaborate statistics, but, so far as the statistics go, we are able to show that it has worked successfully and given more employment to the labouring classes. If we look at the last six months of 1879, and the last six months of 1878, we shall be able to form an idea on this particular point. If the products were greater, and if the country was able to export more during the last six months of 1879 than during the last six months of 1878, it must be an evidence that the country was better employed. In the last six months of 1878 the produce exported amounted to nine million dollars, worth. In the last six months of 1879 these exports were increased to a little over ten millions. During the last six months of 1878, animals and products amounted to \$8,972,000, but in the same period of 1879 they amounted to \$11,500,000. This is surely a large increase, and an increase in the right direction. Agricultural products, a line of all others in which farmers in this country are interested, amounted in the last six months of 1878 to \$17,556,000, but in the last six months of 1879 to \$22,688,000. This is evidently an improvement, and an improvement in the right direction, and a true argument that the country is in a better condition to-day than in 1878. I believe that, in ascertaining what the condition of the country is, it is essentially necessary to ask how the people are employed, and, if you find them mostly employed, and working mutually for each others' wants, and in such a manner that the employment is distributed fairly, so as to produce what the people of the country want, the nearer in every

line you can approximate to that, the nearer may you assume the country to be in a healthier condition. In looking over the various departments, we reasonably ask the question. Are they better employed than they were a few years ago? Take the farmers. It was said by the hon. member for Lambton (Mr. Mackenzie) that the farmers and the labourers of this country had not been benefitted by the National Policy, and the hon. member for West Middlesex challenged any member to produce one instance where agricultural employment had improved or increased to the benefit of the farmer since 1878. I think it was very strange that he should dare to draw upon the credulity of the public and risk his own reputation by sending broadcast among the farming community such a statement as that. If we compare grain this year with grain last year, the difference is very great, and will show a decided advantage to-day in favour of the farming community over the position they were in twelve months ago. In order to make a comparison, I took the file of the *Globe* for December, 1878, and I took down the prices for every day in that month. I then took the *Globe* for December, 1879, and did the same. I added together the prices for the different days, and then I divided the result by the days of the month, and thus struck the average price. I thought this would be a very good criterion to show whether the agriculturists in this country were receiving more or less now for their labour than formerly. In December, 1878, I find that the average price for wheat, thus ascertained, was 84c. per bushel, but in the corresponding month of 1879 it was \$1.28 per bushel. Now, take oats. It was contended, and very strongly, that the duty imposed upon oats, which was intended to prevent the Americans from sending their oats into this country, would not improve the price of oats here. But I find that the average price of oats in December, 1878, was 31c. per bushel, while, in December, 1879, by the *Globe's* own showing, oats were 39c. per bushel, or 8c. per bushel more. It does not require a large amount of intelligence for the farmer to see through this, and they cannot help, while they have access to the press of this country, seeing that they are now receiv-



ing more for their grain than in 1878. Take peas. In December, 1878, the average price of peas was 62c., while, in the same month of 1879 it was 69c., or a difference of 7c. per bushel. Then take pork; another article in which the farmer is greatly interested. In December, 1878, he was getting for pork \$4.36 per cwt., but in the same month of 1879 the price was \$6.45, or a difference of \$2.09 per cwt. I think any farmer can see that it is an improvement. Any farmer, having a hundredweight of pork to sell will require more than the logical reasoning of the hon. member for West Middlesex (Mr. Ross) and of the hon. member for North Oxford to show him that he is receiving no benefit from the National Policy. Take the article of wool, a special article, which, it was pointed out, would be deteriorated by the National Policy. It was contended that there were 2,400,000 lb. which we could not sell, and that the highest figure it would bring was 21c. per pound, but we find that at the end of 1879 it had gone up to 31c. per pound, a difference of 10c. per pound in favour of the farmer. Now, hon. gentlemen may take exception to the National Policy on this score, in view of the fact that, whilst there was no duty placed upon wool, it was higher last December than in the previous December, but the reason given for the probable increase of the price of wool was that a large amount of carpets could be manufactured in this country, and a large amount of other goods, that were previously imported, and the wool used for that purpose would cause an increased market at home, and that it would give us a higher figure for that commodity. The result has justified that opinion. Take now the article of butter. In 1878 it was only 17c. per pound. In 1879 it rose to 22c. These are the principal articles on which the farmer depends for his living. Every farmer is able to see that he is receiving a substantial benefit from the National Policy, and when he can see this it must destroy his respect for the integrity of those gentlemen in this House who say that the farmers are no better off than during the Administration of the late Government. I may say in reference to the assertion made by the hon. member for North Oxford, that farms are sold at a much lower price this year than they were a few years ago, and

that therefore the country is not in a prosperous condition, that this is largely due to the heavy emigration from the Provinces to the North-West. We have an unlimited country, which is being settled, a country specially adapted for agricultural purposes, where farmers may find a fair remuneration for their labour, and where they may be able to raise a good deal more than they have been able to do here. This is the reason why there is not a larger demand for farms in this part of the Dominion, and this is the only sound reason that can satisfy any thinking mind on this point. It is in no way attributable to the effects of the National Policy. The hon. member for Lambton said that some 200,000 emigrants had gone over the line in consequence of the high Tariff which confronted them at every town. Why should they do that, when they would be met in crossing over the line with a much higher Tariff on the other side? It seems a strange and very feeble argument for the hon. gentleman to make use of. It is said that the labouring class in this country—which is a very large and numerous class—are not in so healthy and prosperous a condition, and are not paid so well as they was a year ago. I think anyone travelling in this part of Ontario will see that there is not by any means the same amount of poverty existing to-day as there were a year ago, and not so many dependent upon public charity as there were a year ago. Look at the few that came here a short time ago to ask for employment. They were told that, if they would call at the town hall, and give in their names, efforts would be made to find them employment. How many names were left there? I am credibly informed that there were only some three or four names given. I am quite satisfied, and a great many hon. gentlemen in this House are satisfied, that that was nothing more than a political manœuvre, made use of to bolster up a sinking cause, by the hon. gentlemen representing the Opposition in this House. It was nothing more than an attempt to show that there was a large number of people out of employment, and that the labourers in this country were in as bad, if not in a worse condition, than they were a few years ago. On this particular subject, I may say that it is well known that the

Savings Banks of our country will serve as a good criterion for ascertaining the real state of the labouring classes. The depositors in the Post Office Savings Banks are generally of the labouring class, because they are not able to accumulate large sums to invest in lines giving more ample securities and a higher return. They put away just as much as they can spare after providing for the necessaries of life, and deposit it in the Post Office Savings Bank. In looking over the returns for the last six months of 1879, and comparing them with the same period of 1878, we can form a good idea of the comparative condition of the labouring classes. I find that these deposits for the six months up to the end of December, 1878, were 20,000 in number, while, at the end of the same period of 1879—if the state of poverty which has been said to exist did exist, the labouring classes, who were, as has been said, largely dependent on charity, would be tempted to draw out their deposits—there were 28,000 deposits. The amount deposited in the six months ending 31st December, 1878, was \$864,504, and in the same period of 1879 we have an increase, the amount deposited being \$1,458,000. I think hon. gentlemen must see in this an evidence of prosperity. The number of new deposits in 1879, compared with 1878, shows still more conclusively an increase of prosperity. In the last six months of 1878 the number of new deposits was 4,000, in the same period of 1879 the new deposits were 7,000, or 3,000 more new deposits in 1879 than in 1878. In looking over these deposits, it is satisfactory evidence to my mind that the labourers in this country are better off than they were a year ago. As to the wages of these people, it was said that they were lower. I remember that the hon. member for West Middlesex stated that he was prepared to assert that wages were not as high in 1879 as in 1878. Well, I recognised this through his very long speech, that he was prepared to assert anything, the whole of his argument being based on his own simple assertions. He was ready to assert that the labouring men were not earning better wages now than they were a year ago. I may say that I was applied to by farmers who required hands

to help in the harvest. I communicated with Mr. Donaldson, and asked him for eighteen men, but, instead of eighteen, only three could be sent. He said that the demand for labour was so great throughout the country that he could not send any more, and he stated further that the men would want their \$18 to \$25 per month for wages. I reminded him that wages were only from \$14 to \$16 a month a year ago, and he replied that times were better, and that they were asking better wages, and were getting better wages now. We can reasonably expect this condition of things to exist when we find that the farmer receives 4c. a bushel more for wheat, 8c. more for oats, \$2.09 per cwt. more for pork, 10c. a pound more for wool, and 5c. more for his butter. I say it is all natural, and the labouring man must expect to get and must get a higher price for his labour. In advancing his theory in reference to the imports, one hon. gentleman gave the returns for the six months to show that the country is not in as prosperous a condition as it was some time ago. He compared the total imports for consumption for 1878 with the total of 1879, and, because he found the latter less, he argued that the country was not in as healthy a condition. If that hon. gentleman had only taken the trouble to investigate the facts, he would have been compelled to admit that his figures were only a verification of the arguments advanced on this side of the House a year ago. He would have found that the falling off in imports was due to an increased manufacture here, which had given employment to a large number of men, who were formerly out of work. Let us look at the figures. In 1878 we imported for home consumption, from Great Britain, \$16,000,000 worth of goods; but in 1879 our imports from that country amounted only to \$15,000,000, or a decrease of \$1,000,000. Our imports for home consumption from the United States in 1878 amounted to \$21,000,000; in 1879 they were only \$14,000,000, or a falling off of \$7,000,000. This ought to be a strong argument against the position of hon. gentlemen opposite, who claimed that the new Tariff would operate more against Great Britain than the United States. The decrease in imports proves, to my mind, that, when the people found

the necessity of manufacturing those different lines of goods they formerly imported, capital was invested in that direction, the unemployed labour was employed in those manufactures, and the goods were made at home, instead of abroad. Establishments were restored in every part of the country that a few years ago were crumbling to ruin. It has been stated that the manufacturers were the only class prospering under the Tariff, and the same hon. gentleman took the trouble to tell the House that they made large profits before, but that now they are heaping up colossal fortunes. He ought to have informed himself of the condition of the manufacturers previous to the introduction of the Tariff. It is only necessary for me to cite a few instances to prove that they were not in a prosperous condition. Looking over the returns made when hon. gentlemen opposite were in power, I find a deplorable condition of things. In 1873, there were seven companies engaged in the manufacture of bolts and nuts by machinery, for our railways and other public works. They were situated in Halifax, Toronto, Montreal, Ottawa, Paris, Port Hope, London and Hamilton. A capital of \$200,000 was invested in that industry, and a large number of men were employed. What was the condition of this branch in 1878? Only \$20,000 remained of the large capital invested; the factories were idle, and the men had been compelled to go to other places in search of work. Only one establishment in that line using machinery was in operation. Was that a healthy condition of things? Was that an evidence of manufacturers rolling up large fortunes? I think it is the most unmistakable evidence of a deplorable state of affairs, which must have grieved every lover of his country and humanity. But what is the condition with respect to that line now? In the short space of twelve or fourteen months, under the fostering influence of this Tariff, several establishments have started, some employing fifty, some sixty, some nearly one hundred men, and every labouring man employed in those factories probably represents the feeding of a family of five persons. Thus we find that hundreds of men have found employment in one branch of industry owing to the introduction and beneficent operations of the Na-

tional Policy. Then I find from these same returns that we formerly had eleven glass manufacturers in this country. At one time that trade was doing well, but, owing to the strong competition of the Americans and their successful efforts in throwing their over-production into Canada, the glass manufacturers were compelled to abandon the business, and in 1878 there was only one establishment in operation, and that was in the manufacturing city of Hamilton. Now, if that state of affairs is regarded by hon. gentlemen opposite as encouraging, they must arrive at their conclusions by a strange mode of reasoning, which no intelligent men would adopt. Under the National Policy, however, the Burlington Glass Works, with several other establishments of that class, have been resuscitated, and are now running in full blast, this one with a force of 100 men. Allowing, as before, that each workman represents five mouths that are fed by his labour, this must be encouraging evidence to every impartial mind that the country is in a better condition than it was when hon. gentlemen opposite sat on the Treasury Benches. Then, what is the verdict in reference to the mercantile class. It has been argued that, because there was a large number of bankruptcies for the last year, the commercial community was not in a healthy condition, and that it was owing to the deleterious effects of the National Policy. These hon. gentlemen forget that a man could not start in business to-day and break down immediately—he will run a few years at least before he will give in. We explain the increase in the number of bankruptcies by the fact that the country had been going down for years, and finally reached the climax of depression. When the worst came to the worst, and traders saw no gleam of better times, they began to hand over their estates to the assignees to settle up. It may be that the dawn of a better era, to be inaugurated by the National Policy, induced some to seek relief in bankruptcy, in the hope of starting anew when the good time came; but it is nevertheless the fact that the country was going down hill all the time hon. gentlemen opposite managed its affairs. The statements of the *Monetary Times*, the *Montreal Herald*, and other representative papers in different parts of

the Dominion, show that merchants are paying their way better and buying more freely, and that the prospects of the future are visibly brightened, and all classes believe we have started on an era of permanent prosperity. If we had had a steady winter, and the roads had been good, we would have been able to tell a tale in that particular line which would have astonished those who are most sceptical in regard to the improved condition of the small traders. Then let us refer to the lumber trade. Hon. gentlemen opposite contended that that interest would be ruined by the National Policy; that the duty on pork would increase the expenditure of lumbermen, and they would be unable to secure men except at higher wages, and would not be able to carry on their business. How far do those assertions square with the facts? To-day lumber is nearly one-third higher than it was a year ago. It is true that this is partially due to the rise in lumber in European countries, but that does not wholly explain the advance. It is partially due to the result of the policy of the Government. It has established confidence in the country. People are building houses and factories, and much more lumber is being consumed in Canada than was a year ago, and, as a natural consequence, the price has gone up. The hon. members who advance the theory that the advance in the prices of articles which Canadians have to sell must be accounted for solely by the fact that the price of those articles has gone up in Europe are not ready to admit that the almost universal advance here is due to an entirely different cause. I claim that the National Policy has restored confidence, and we find capitalists, who a year ago kept their money locked up, investing freely in various undertakings, and thus assisting in the return of better times. We have more people employed to-day than were at work a year ago, there is more capital in circulation, and there is a more cheerful and hopeful spirit among all classes of the community. Anyone who looks at the condition of our large cities will see that there are not the number of men walking around out of work there was last year. There must be some reason for this, and we find it in the confidence which has followed the wise policy of the Government. I

think we have sufficient evidence to warrant us in saying that there are 25,000 men now in employment who were idle last year; but place the figure at 10,000, and allowing five persons to be supported by each man, we have 50,000 people now self-sustaining whom the country was compelled to support in some other way a year ago. The hon. members for North Oxford (Mr. Oliver), West Middlesex (Mr. Ross), and Lambton (Mr. Mackenzie) endeavoured to show that the result of the late elections in Ontario was due to the National Policy. While the contest was going on, I had the pleasure of meeting many representative men, and I can state that at public meetings and elsewhere they gave the strongest assurances that the election was not to be fought on the National Policy, but that the Conservatives should call in question the actions of the Government of the Province. I went from platform to platform in my county, and I never, except on two or three occasions, heard the National Policy question referred to or used, as an argument. There were other questions in which the people were more intimately interested. We had the question of the educational system of the country; the exemption of property from taxation; the liquor license laws; the expenditure on the Government public works; colonisation schemes; Model Farm expenditure and usefulness, etc.; distribution of the Railway Funds, in the unfair way they did it. These were the vital questions that tested the strength of political parties in Ontario in the last contest. I can assure hon. gentlemen opposite that this assertion will but detract from the respect in which they are held by many of their friends in Ontario. The election was fought fairly upon the ground of the merits or demerits of the Local Government; and, while we might give many explanations in reference to the result of the elections, we cannot, in justice to the National Policy, admit there was a verdict in any part of the Province upon it. Notwithstanding the fact that those hon. gentlemen opposite have brought forward in their organs statements to show the hon. the First Minister said this or that in reference to that contest, they forget this was on the eve of the voting, when the

minds of the people were made up and the verdict rendered, although not recorded. I visited a large number of places in various ridings, and only at three meetings was the National Policy called in question at all. I think this ought to satisfy us that the country is in a more healthy condition and the people are happier than before the introduction of this policy, and that they are looking forward to a not very far distant time when the country will return to that prosperity enjoyed in 1873, when the men now wielding its destinies were in power. It would require a great waste of argument and much sophistry to establish the theory that the National Policy is doing the country great injustice or injury. No matter how often the assertion is made, or from what authority, I believe that the hon. gentlemen opposite are only weakening their own strength among the representative classes of the country, especially with the agriculturists, manufacturers and labourers, when they try to sustain the proposition that the country is in no better condition than before the introduction of the National Policy.

MR. GIGAULT: Our new Tariff was adopted a year ago. In view of what has since occurred, have we any reason to regret the step that we took, and does the public interest require that we should modify our Tariff and accept the Free-trade principles of the Liberal party? If we were wrong in adopting a system of Protection, pride ought not to prevent us from acknowledging the fact, for the Conservative party have always aimed at promoting the material and moral welfare of the Canadian people. If, on the contrary, events justify the position which we assumed, duty commands us to follow up with energy the path which we traced out. During the discussion on the Tariff last Session, the Liberal party prophesied that the system would cut short the revenue from Customs. Has that prediction been verified? Certainly not; for the revenue from Customs has increased to \$6,678,191.39 in the last six months of 1879, as against \$6,320,863.20 in the last six months of 1878. The Liberals also prophesied that our financial policy would ruin our credit, especially in England, and yet since last Session the hon. the Minister of Finance has been compelled to effect a loan, which he obtained

upon conditions and at a rate of interest of a more favourable nature than has been the case in relation to any previous loan. By the Public Accounts, which have just been distributed to us, it appears that the average interest on the part of our debt which is payable in England, has been reduced from 5.55 per cent. to 4.51 per cent. This is how our credit has been ruined among English capitalists. At the last General Elections we maintained that a people, like an individual, which buys more than it sells, that is to say, which imports more than it exports, is likely to experience a great dearth of money. For several years past the amount of our imports exceeded our exports by several millions of dollars annually, and we contended that a system of Protection would have the effect of diminishing our imports and increasing our products and our exportations. By the statement of our exports and imports which has just been submitted to us, we observe that our imports during the last six months of 1879 amounted to \$34,048,874, and our exports to \$54,283,841 for the same period of time, thus showing that our exports considerably exceeded our imports. The Liberal party maintained that our policy would have the effect of irritating the Americans and that our trade with them would suffer. Yet we note with satisfaction that our exportations to the United States amounted to \$17,699,705 during the last six months of 1879, while for the corresponding period of the year 1878 our exports to our neighbours only reached \$16,860,895. In his speech on the Address, the hon. member for West Durham expressed a desire to have a representative at Washington for the purpose of negotiating a Reciprocity Treaty which would provide for our products easy access to the American markets, an attainment which the Opposition, with reason, consider most advantageous. Now, what is the legislation which has placed the American market in so enviable a position? Is it not a Protective policy, the very system which our Liberals denounce as so fraught with ruin, which has produced in the American Republic the magnificent results which we all admire? The hon. member for Lambton, in his speech on the Address, declared that it was his intention to encourage Canadian manufactures by

opening foreign markets to us. He understood that it is the duty of a Government to encourage industries; he was ready to bestow riches on the manufactures which to-day he appears so greatly to despise, but the means proposed could not have the effect desired. How would he have our industrial establishments, as yet young and tottering, contend on the foreign markets with foreign manufactures, while our manufacturers have not possession of our own market, and cannot contend even here with foreign competition? The present Government has begun by ensuring to us the control of our own market, and is labouring with energy and perseverance to open wide to us the markets of France and Spain. That is the only policy which can give an impetus to our industries and cause them to prosper. The hon. member for Lambton still repeats his assertion that the Tariff must of necessity compel the consumer to pay higher prices for our manufactured products, and makes that assertion when he knows that the American manufacturers, in spite of the system of Protection, or rather, thanks to that system, sell their manufactured products at extremely low prices; he makes that assertion, when he knows that, during his own short tenure of office, the American manufacturers, while paying a duty of  $17\frac{1}{2}$  per cent., used to rush their goods into our market and sell them at lower prices than our own manufacturers, under the system so highly vaunted, but which has proved so fatal to the hon. the leader of the Opposition. Notwithstanding the gloomy forebodings of the Liberals, our fiscal policy has already produced most gratifying results, and we can face the future with confidence and trust. The advantages of our Tariff are not to be judged by the experience of one year. When the abolition of the Supreme Court was under discussion, the hon. member for West Durham spoke as follows: "We are like children, who plant seeds in their garden in the morning, and pluck them up in the evening to see if they are growing, when we pluck up an institution which has hardly had time to germinate." If we were children because we wished to abolish the Supreme Court, organised five years ago, under the late Administration, how much more puerile is the conduct of those who wish to destroy

a Tariff established only one year ago, when it is certain that our Tariff has produced better results than the Supreme Court. The National Policy which has just been inaugurated, has helped us to rise from the state of depression into which we had fallen. Money is more abundant, a larger number of tradesmen are employed, and any man who is not blinded by party feeling, will admit that Canada is in a more prosperous condition than she has been of late years. Let us not be surprised to hear the Opposition proclaiming that our policy is the ruin of the country. For thirty years past they have always repeated the same cry, but that has not prevented Canada from advancing, thanks to that same policy. When the Government were helping to build the Grand Trunk Railway, we were about to be ruined. The building of the Victoria Bridge was also to ruin us; and yet the Liberals themselves are now asking for the construction of another bridge opposite Montreal. Everyone must now admit that the establishment of our great railways has given a great impetus to the advancement of our country. When we consider that in 1851 our population was only 2,500,000, and that to-day it is 4,000,000; that in 1851 we had but 8,000,000 of acres of land under cultivation, and to-day we have 36,000,000 of acres settled upon; when we find that in 1844 we had only forty miles of railway, and that to-day we have 7,000 miles, we cannot but be astounded at the prodigious development of Canada; and at the same time we must admit that that development is due to the wise and enlightened policy of the Conservative party. Every time measures have been proposed which were calculated to increase our public wealth, the Liberal party has invariably undertaken to oppose the advancement of the country, and the efforts made to give Canada the position she is justly entitled to in view of our vast agricultural and other resources. Hence it is that we put but little faith in the predictions of our Liberal opponents. When the Opposition assert that our manufacturers cannot manufacture as cheaply, or give the same finish to the goods we import, they insult the intelligence and skill of our mechanics, who are not a whit behind the skilled artisans of other countries. After having examined

the results we have attained from the fiscal policy inaugurated by the Ministry, we cannot but congratulate them on the patriotic course they have adopted, and promise our support to the policy of Protection, which is a fitting corollary to the policy carried out in reference to the railways and the canals.

MR. KING: It is not my intention to attempt a reply to the arguments of the hon. gentleman who has just taken his seat (Mr. Gigault), as I confess, to me, they appear unanswerable, since I fail to understand the language in which he has spoken. I propose, in dealing with this matter, to confine myself more particularly to the question as affecting the Province to which I belong. I regret that the hon. the Minister of Finance, in delivering his Budget Speech, should have thought proper to charge hon. members from New Brunswick, on this side of the House, with having, in their attempts to strike down a Minister of Finance, damaged the reputation and credit of their own Province. Let me say, Sir, I have no such desire. I venture the opinion that, if hon. gentlemen opposite would fairly consider the matter, they would concede that the hon. gentlemen from New Brunswick, on this side of the House, have quite as much interest in sustaining its reputation, interests, and credit as the hon. the Finance Minister and his small following from that Province. In his remarks the other day, he thought proper to characterise a petition laid on the Table, from 3,000 of the electors of St. John, N.B., as a piece of political clap-trap. With that I have nothing to do, but from his sentiment, nevertheless, I beg leave to differ. He said, if it was designed to influence the Government to change its policy, why was it put into the hands of men who did not agree with them? Are we to infer that only Government supporters should present such petitions?

SIR SAMUEL L. TILLEY: No; I said why was its presentation delayed till that moment.

MR. KING: I have the report from the *Ottawa Citizen*, the only one I have seen. Its report gives the words I understood the hon. gentleman to utter, as follows:—

“If it was to influence the Government to

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make a change, why was it put into the hands of men who do not agree with us politically?”

Are we to infer from his remarks on that occasion that no representative of New Brunswick, for example, no matter how great its grievances may be, is to approach the Government with the hope of redress; that it may only be looked for when solicited by representatives in political accord with the Government. I take it for granted that is the inference that will be drawn from the hon. gentleman's remarks, and I think it came with bad grace from him, and that the doctrine will not go down with New Brunswick. I think that they understand too well their own position before Parliament to accept it, and know that they have the right of petition. He may treat with scorn the prayers of said petitions, but, notwithstanding, they will continue to present them so long as they remain aggrieved members of this Confederation. I do not propose to follow the hon. the Finance Minister through his Budget Speech, from Prince Edward Island to Vancouver; but there are some facts in connection with my own Province, with which I am familiar, and I will deal with these. If at present I had before me a map of Canada, and wished to ascertain its correctness, I would first examine places with which I was familiar, and, if I found their tracings were carefully drawn, and that all the surroundings were correctly delineated, I would take it for granted that the map was correct. But, if I found gross errors at those points, I should conclude the map was not a correct one. I intend to apply the same rule to-night. The speech of the hon. the Finance Minister is public property, and open to criticism, and, before I go further, I will call attention to some remarks he made last year in attempting to show the immediate effects of the National Policy in New Brunswick. He is reported as follows:—

“Since the 14th of last month, many of those manufactories which had closed down, have been re-opened. An Act was passed in the Legislature, a few days, to incorporate a company for a sugar refinery. Application has been made to extend a cotton manufactory, and increase the capital of the company. The glass works are again in operation.”

I ask the hon. the Finance Minister whether, while visiting the manufactories in St. John, last fall, he called at the

glass factory, and found it in operation? I assert to-night that the National Policy has not had the effect described, and that the closed works at St. John could not be and were not revived by it. I think it would be somewhat difficult for him to point out the numerous factories that had been closed down previously, re-opened under this policy. A reference is made to the incorporation of a company to establish a sugar refinery in New Brunswick. I am quite sure the remarks could not have applied to the sugar refinery today being established in Moncton. I am almost positive that they applied to the proposed sugar refinery at Fredericton, which has since died a natural death. I quite agree with the hon. gentleman as to the enlargement of the cotton manufactory in St. John. That factory existed twenty years ago, and became prosperous long before the National Policy was heard of, and, so far as the principal articles manufactured at that establishment are concerned, it had the markets of New Brunswick under a 10 per cent. Tariff. We have no great cause to congratulate ourselves on the enlargement of that factory; it is intended the people of the rural districts shall pay for its enlargement. Cotton warps and factory cottons are subject to a duty of from 30 to 40 per cent., and in certain localities of New Brunswick the farmers are paying more for the support of that establishment than they are compelled to contribute to the support of their poor. We were told that Protection was going to revive slaughtered industries, and that the want of it had been the cause of the serious depression in the manufacturing interests of St. John. I ask the hon. the Finance Minister if the National Policy has had the effect of reviving the Coldbrook Rolling Mill; if that establishment, which formerly employed a large number of men, is in operation? There is no "hum" there—I only wish there was. I regret that many things are not in the condition the hon. gentleman describes. I believe that the raw material, old rails, formerly used to keep that factory running, have, within the last few months, been shipped to the United States, on Government account, and sold at prices far below their market value. I will read another extract from the speech of the hon. the Finance Minister this year, referring to St. John:

"I found the sash, door and carriage manufacturers were not doing as much as in 1874; the other manufacturers had doubled their capacity in the last six months, and were prepared to double it still further during the next year. When we find that, since the policy was inaugurated, in the town of Moncton a manufactory had been established with a capital invested of \$200,000, \$60,000 paid up," etc.

With reference to that factory, an impression prevails, and not without foundation, that it was in contemplation long before the introduction of the National Policy. The article proposed to be manufactured, a combination lock, is protected by a patent from the Dominion, as well as the United States, and I dare say, the British Government. It must appear to everybody that the manufacture of that lock, if an article of merit, can be as successfully prosecuted under a low as under a high Tariff. The hon. the Finance Minister further says:

"When we find a sugar refinery with capital subscribed and arrangements being made for its construction in the town of Moncton."

I believe that a number of gentlemen have formed a company in Moncton, and made arrangements as stated. We do not deny that it is possible, in that town, to carry on sugar refining successfully, when they have the Government of the Dominion at their back, willing, if report be true, to place the Government railway at their disposal to carry freight at reduced rates.

SIR SAMUEL L. TILLEY: Hear, hear.

MR. KING: This makes a double kind of Protection. Reference was made by the hon. gentleman to a cotton factory at St. Croix River, as follows:—

"When we find that recently the inhabitants of the town of St. Stephens were summoned together for the purpose of considering the propriety of establishing a cotton factory on the St. Croix River, that would involve an expenditure of \$300,000; that the site has been selected, the stock being subscribed, and that American capitalists offer to build it if the locality will free them from taxation for twenty years; when we find these various industries organised, involving a capital of \$1,000,000, I will ask this House and the country whether Ontario and Quebec have shown a greater amount of enterprise."

We do not deny that a cotton factory may be run profitably there, though as yet less than \$12,000 of stock has been taken in it; but we have no other foundation



than the hon. gentleman for asserting that \$1,000,000 is at present being invested in New Brunswick in manufactures. I think he fell into the same mistake this year as last, namely, counting his chickens before they were hatched. Last year, in attempting to prove the National Policy was just the thing for New Brunswick, he is reported as follows:—

“According to a statement made by Mr. Everett, the President of the Manufacturers' Association of the city and county of St. John, in 1874, as compared with 1878, giving the amount of capital invested, the number of males and females employed, and the annual wages paid, it appears that in 1874 there were 8,428 males, and 1,769 females employed in these manufacturing industries, and that in 1878 the number employed was reduced to 5,031 males and 1,821 females.”

I might just remark that I think in all fairness the hon. gentleman ought to have stated that, during the time that intervened between the making of that report in 1874 and 1878, two-thirds of the city of St. John had been destroyed by fire, and \$15,000,000 over and above insurance had been swept away in a single night. I ask the hon. gentleman whether the reduction in the number of factory operatives was not as largely due to that fact as to any other. The hon. gentleman claimed that this falling off was due to the want of Protection and the sharp competition with the United States. During the Recess, it has been my good fortune to obtain a copy of the report of Mr. Everett, which I have carefully analysed. It will be understood that the hon. the Minister of Finance has sought to create the impression, whether warranted or not, that New Brunswick, according to population, was ahead of any other Province of the Dominion as a manufacturing centre. Let me read from Mr. Everett's report in order to see whether the position the hon. gentleman has taken is sustained by the report which he chosen to quote from. In the first place, we have: Blacksmiths, 100; coopers, 10; saw-mills, 2,225; bakers, 160; builders, 1,320; painters, 100; printers, 150; riggers, 70; shipsmiths, 35; spar-makers, 10; steam-fitters, 20; making a total of 4,200 people, whom the hon. gentleman classes as manufacturers. Now, I contend that these people are not in a proper sense manufacturers, and that instead of being benefitted by the operation of the National Policy, they are feel-

ing the burdens imposed on them by it. Then we come to another class: Boat-builders, 25; block and pump-makers, 80; carvers, 72; iron-knee manufacturers, 60; sail-makers, 60; making in all 297. These men are solely dependent upon ship-building for their living, and, if the ship-builders get the drawback which the Government have promised them, they are in no way protected. Then we come to another class: Jewellers, 42; engravers, 60; match manufacturers, 30; milliners, 750; paint and lead, 13; soap-makers, 25. Total, 920. The hon. gentleman will recollect that last year, when the Tariff was under consideration, he said that the increase of 2½ per cent. in this direction was not for the purposes of Protection, but for the purpose of raising revenue with which to meet the anticipated deficit. I take it that the hon. gentleman will not claim that this class of persons are in anyway protected. Then we have harness-makers, 63; last-makers, 5; marble-workers, 70; sash and blind, 210; axe-makers, 27; nails and spikes, 272; carriage-makers, 120; foundries, 426; trunk-makers, 20; coffee and spices, 13; oil clothing, 5; tin-men, 71; brewers, 20; book-binders, 20; amounting to 1,342 in all. It is safe to assert that, notwithstanding the pretence to protect this class of manufacturers, the duties imposed on the raw material used by certain of them more than neutralised the benefits the Tariff was pretended to confer. Others of them had control of their markets heretofore, and asked no additional protection. Then we come to another class, who can fairly claim, and do deserve, full benefit from the protection afforded by the hon. gentleman's Tariff. These are the gentlemen who are unable to stand alone, and therefore require support from the Government: furniture, 150; tanneries, 75; cotton factories, 215; brushes, 50; hats and caps, 70; brass founders, 50; confectioners, 40; file-makers, 5; fishing tackle, 2; mattresses, 5; pianos and organs, 24; patent medicines, 6; potteries, 15; rope makers, 60; paper bags, 17; saw makers, 24; undertakers, 27—total, 835. There is still another class left: boot and shoe manufacturers, 1,071; clothing manufacturers, 800—total, 1,871. Of the boot and shoe-makers, undoubtedly a large proportion of the number alluded to never sought employment in a factory proper, but

are engaged in custom work throughout the city and county of St. John, to which the report refers. The same will apply to those put down as manufacturers of clothing. I am satisfied that in the most flourishing time in St. John, there has not been so large a number employed in the manufacture of the ready-made article. Of the 9,420 manufacturers, as stated by the hon. gentleman in his Budget speeches, two years in succession, we find 4,200 belong to the labouring classes, and are in no way protected by the operation of the National Policy, and that less than 1,000 are receiving any direct benefit, while the remaining thousands are called upon to pay the taxes. I think that statements like this, uttered on the floor of the House, are calculated to mislead the members, and are entirely out of place, and I think the hon. gentleman should have looked into this statement more carefully before he put it forward to the injury of his own Province. Some hon. members may have voted for the National Policy, believing that it was for the best interests of the whole Dominion, including New Brunswick, and may have founded opinions upon statements such as the one to which I have alluded. My object is to place the responsibility on the right shoulders. The hon. the Minister of Finance, during the past year, thought proper to visit the different manufactories throughout the Dominion, and, in the course of his rambles, he visited St. John. I would suggest that, the next time he visits that city, if he is really desirous of getting correct information with regard to the prosperity of New Brunswick, he should look into the country market, and, as in case of the manufactures, he might put the following questions to the farmers, amongst whom he would doubtless find many of his former friends and supporters. It would have been reassuring to these gentlemen to know that a Minister of Finance took so great an interest in their welfare. Has the National Policy given you the home market which he promised you, and has the duty of 10c. per bushel on potatoes and oats succeeded in raising the price by keeping out the American article? He might go further, and ask whether the imposition of the duty on corn meal had tended to raise the price of coarse grains, oats, etc., as he asserted last winter it

would. I think that one answer would have been all that was necessary. I do not hesitate to say that the hon. gentleman would have found last summer those who would have told him that never within the past twenty years had the farmers in that Province been obliged to accept lower prices for the surplus products of their farms, or compelled to pay comparatively higher prices for the articles they have to purchase. The hon. the Minister of Finance might have found in that market the farmer in middling circumstances, who, perhaps, was trying to dispose of the products of a small dairy. That man might have told him that, whereas, previously to 1879, 20lb. of butter would have purchased a barrel of cornmeal, 30lb. would then be insufficient for that purpose, and that it would take the proceeds of 4lb. of butter to pay the duties alone. That farmer could also tell the hon. gentleman that the increased duty on pork that had been promised, but has been entirely overlooked in readjusting the Tariff, with other protection promised during the elections, had not benefitted him at all. It is true that, after the butter and cheese had nearly passed out of the hand of the farmers, there had been a rise, which was not due to the Tariff, as no additional duty had been imposed on these articles. If the hon. gentleman was not then satisfied, I would here recommend him to visit the shipyards and saw-mills of St. John, and, if he found the real "hum" in that direction, he might rest assured that his friends, the manufacturers, were in a prosperous condition without a doubt. In his Budget Speech, knowing the duty on corn-meal was unpopular in New Brunswick, he sought to satisfy the people of that Province by telling them that what they paid by way of duty on corn-meal was more than compensated for by the reduction of the tax on molasses. I desire to state in this connection that a considerable part of the decrease of duty on the article of molasses is due to the fact that molasses is 50 per cent. cheaper than it was the previous year. The amount realised by the application of an *ad valorem* duty must, in consequence, be greatly decreased. The hon. gentleman need not, therefore, take credit to himself for the whole of the reduction on molasses. It is true that, while he was in St. John, the glad news

reached that city from the other side of the ocean that lumber had risen considerably in price. I have no doubt he was glad to hear of it, and am confident that he is looking to what he characterised last year as a waning industry for the means of meeting a large proportion of the deficiency he expects to have the present year. We do hope that the increase in the price of lumber will help to make the country prosperous in spite of the National Policy, and that operators in the business can afford an advance of wages to their employes. Let me now refer to some figures which I placed before the House last year with reference to that industry. I have had no reason to change my views as to the increased cost of producing lumber under the National Policy, except in one particular. I admit that I was misled by the opinions advanced by the hon. gentlemen opposite. They stated that without a doubt the one great result of the National Policy would be to increase the wages of the workingman, and I assumed that the wages of lumbermen would be likely to rise. But I admit in that I was mistaken. No such result has followed. Never, for twenty years, have I been able to get men so cheaply as I have during the past autumn. The hon. gentleman, however, when in St. John, admitted that the advance in the price of lumber was not due to the National Policy. During the last season, the impression was sought to be created that the hon. gentlemen who opposed the Tariff were the very gentlemen who, thirteen years ago, were opposed to Confederation. I am prepared to deny that. I myself did what I could in my humble way to assist in carrying the scheme of Confederation, and I am prepared to assert that in this House to-night there are gentlemen who violently opposed the introduction of that measure who are supporting the Finance Minister at the present time. It is true that we have on this side of the House some gentlemen who opposed that measure, and they can now return to their constituents and say: We told you so; all that we predicted with reference to the result of Confederation has proved to be true, while those who supported that measure have been humiliated. One of the principle objections to Confederation in New Brunswick was

that, whereas the Tariff of Canada was higher than the Tariff of New Brunswick, there was great danger of that Tariff being applied to New Brunswick. I recollect that on several occasions, the hon. the Finance Minister quoted the utterances of Canadian statesmen to prove that such could never be the case. I recollect, and, if it were worth while, I could produce speeches which the hon. gentleman delivered, in which he utterly repudiated this idea. And yet we find him here, in less than twelve years, not a long time in the life of a nation, imposing the odious burdens of a Protective Tariff on his own Province. I say, Sir, that it was through such statements as these, put forth by the hon. the Minister of Finance himself, that the Opposition in New Brunswick to Confederation was disarmed. We were told that St. John was to be the Birmingham and Manchester of the Dominion.

MR. DOMVILLE: So it is.

MR. KING: I challenge the hon. gentleman, if he will travel from Quebec to Sarnia, search all over this back country, to say that he will find any of the products of St. John, save that of the Parker Cotton Factory.

AN HON. MEMBER: There are some of them here.

MR. KING: During the Confederation campaign, on account of their fear of increased taxation, a suggestion was made to the hon. the Minister of Finance—who at that time filled a more humble position, less remunerative, but no less honourable, than the position he now occupies—that the people of New Brunswick should be allowed to retain their revenue and set aside a portion of it towards the support of the Federal Government. To this he objected that, as St. John and Halifax were to do the importing for all this back country, Ontario and Quebec would never consent. How much importing in this way has St. John done for these Provinces? Then we were told, in New Brunswick, that our population would increase by 1881 to 400,000 inhabitants. In 1871 the population was 285,000, and I venture to say that, when the Census is taken next year, it will be found not to be far in excess of 300,000 inhabitants, and I am inclined to fear it will fall short of that number. I would recommend the Government not to lose

any time in taking the Census, for, if within the next year emigration from that Province continues, the population will be considerably reduced.

MR. MACKENZIE: There may be no Census to take.

MR. KING: Hon. gentlemen have thought proper to deny the fact that people are leaving New Brunswick. I think that persons living there, and who are continually there, ought to know what is transpiring in that country. I know that people are leaving, and that they are not going to the North-West, as has been suggested. I know of none from the county I have the honour to represent, and in which the hon. gentleman was born, that have gone to the North-West, with the exception of one person, who did go to Manitoba, but he came away again three months afterwards.

MR. MACKENZIE: Perhaps he saw the Government advertisements about Minnesota.

MR. KING: Now, need we wonder that the people of that Province are discontented and discouraged, when they find that the debt of this Dominion is so rapidly accumulating, notwithstanding the promises made at the time of Confederation that thirteen million dollars, annually, would be sufficient for all purposes, and when they find the hon. the Minister of Finance is now asking for twenty-five or twenty-six millions of dollars—double the amount that he said would be required to carry on the affairs of the country. Need we wonder, when the people are made aware of these facts, that they are leaving the country discouraged, when we consider that in the last year an amount, equal to the *per capita* subsidy paid the three Maritime Provinces, was spent in subsidizing 30,000 Indians in the North-West Territory. What can the people of New Brunswick think, but that they have sold—sold in the truest sense of the word—to the Indians. The hon. gentleman in his recent speech in St. John, concluded with a grand peroration, and, if he is correctly reported, he said his only fear was that we would not be able to find ships sufficient to carry the emigrants that would come to our shores destined for the North-West Territory. Now, we would like to see some emigrants in our own Province.

The hon. gentleman seems to be so enamoured of the North-West, that the suspicion is gaining ground in New Brunswick that, contrary to nature, he is looking for the sun to rise in the west. If, Sir, we had arrived at a period in the history of Confederation at which those gentlemen who have been instrumental in bringing it about had passed away, and if we had in this Parliament another set of men to deal with, we in New Brunswick would have good reason for opposing such a policy as that to which I am referring. But, when we find this self-same Protective Tariff being carried in this House by those who made us such promises, we can never consent to it, never.

AN HON. MEMBER: Hardly ever.

MR. KING: Under these circumstances, it need not be wondered at that the people of New Brunswick are against this policy; but, notwithstanding the future may look dark, the people of that Province do not wholly despair; to use a familiar phrase of the hon. the Minister of Finance, they see a "silver lining in the cloud." By the result of the Ontario Local elections, we may take it for granted that she has returned to her first love; Prince Edward Island is wheeling into line, Nova Scotia comes right side up every other time, Quebec will ere long have seen her folly, and, when the hour arrives for New Brunswick again to speak, she will be found true to the principles which have made her, and the Empire of which she forms a part, great, glorious and free.

MR. DOMVILLE moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

House adjourned at

Ten minutes after

Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 18th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

SOURIS AND ROCKY MOUNTAINS RAILWAY COMPANY INCORPORATION BILL.

(Mr. Boulbee.)

FIRST READING.

MR. BOULTBEE moved that the 49th Rule of the House be suspended, in rela-

tion to the Bill (No. 79) to incorporate the Souris and Rocky Mountains Railway, and that leave be now granted to introduce the same.

SIR RICHARD J. CARTWRIGHT : I think it was understood that, when the Rule was suspended, the special reasons therefor should be stated.

MR. BOULTBEE : As I stated the other day in the Committee, the proper notice was given and the petition presented for introducing this Bill three months ago. Petitions were sent from Rapid City at the proper time, but were delayed a month on the way, and only reached here a day too late.

Bill read the first time.

#### BILL INTRODUCED.

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

Bill (No. 80) To simplify Criminal Procedure in the Province of Quebec, and to dispense with Grand Juries in certain cases.—(*Mr. Coursol.*)

#### WAYS AND MEANS—THE TARIFF.

##### ADJOURNED DEBATE.

House resumed the adjourned Debate on the proposed motion (*Sir Samuel L. Tilley*). "That the resolutions adopted in Committee of Ways and Means, on the 9th inst., be now read the second time."

MR. DOMVILLE : When I moved the adjournment of the debate the other night, my hon. friend the member for Queen's, N.B., (*Mr. King*), was loudly denouncing the prospects of New Brunswick, and lamenting its future. In fact his speech amounted almost to a funeral oration. I thought, at times, that New Brunswick was even worse off than it had been painted to me by those in opposition to the present government, when I left it. I was surprised to see him take up the cudgels for St. John; there are others here, an ex-Minister, from the city and county of St. John, for instance, who might fairly have done that for her. But I do not think St. John should be made the battle ground, or made responsible, for anything that falls short in the prosperity of the country. Why should St. John always be held up before the public? Is it not enough that we have suffered by the great fire of 1877, when nearly the whole city was swept away, and we were taxed to the utmost to build it up again, without having all our financial difficulties laid to the National Policy? It is not right; it is not just to do so. I could mention other cities that had no fire, and that suffered quite as badly as St. John during the

commercial disasters of this country and yet nothing is said about them. The hon. gentleman used the argument that because he was in Opposition he could get no justice. He stated that no one could approach the Government for redress unless they were supporters of the Government. Now, I would like to ask him what he wants. Last year he found fault because the Tariff did not go far enough. He plumed himself upon having been a life-long temperance advocate, and a fast friend of the hon. the Finance Minister, and said he regretted he could not support him. Then he went on to say that the rural constituencies of that Province should have protection for wool and other articles that they raised. Now, he has got redress in that respect, he has got a protection on wool of 3c. per pound; yet he expresses no thanks on the part of his constituents, but still goes on grumbling. The hon. gentleman and his friends are doing all in their power to damage St. John and the whole Province in respect to its credit and prosperity. When the hon. gentleman says he cannot get justice, does he mean patronage? When his friends were in power, I can point to instances where patronage was abused by giving officers emoluments which were not justified by law. I need not name them, because the hon. gentleman knows them himself, and I do not wish to bring on the floor of this House any individual case of that kind. The hon. gentlemen thought they were going to do something wonderful at the late General Election, but, in spite of all the leverage that could be brought against us, we were able to hold our own and carry as many seats as before. I am not prepared now to refute the figures which the hon. gentleman submitted to the House, because I do not know the pages of the Blue-books out of which they have been raked, but I recognise the same hand in stringing them together as concocted those for my opponent in the last General Election, and who has for the last two Sessions been so busily employed manufacturing those statements for some hon. gentlemen on the other side. He finds fault with the Parks factory of St. John. I have seen Mr. Parks recently, and I ascertained that he has been enabled by the National Policy to enlarge his works, and he now

MR. BOULTBEE.

employs some 300 or 400 hands. He also made some comments with regard to iron works having shut down. I will not say anything upon that point, because I am interested in that subject myself. If the iron factory, in which I am interested, cannot participate in a Tariff which is of general benefit to the country it is a personal matter. We are here to legislate for the whole Dominion, and not one particular Province, or county, workshop or trade. If, in four or five years, even according to my hon. friend's story, we shall be able to point to one factory that has prospered under the National Policy, while we cannot now point to a single industry that was benefitted by the legislation of the late Government during the past five years, it will be a consolation to know that our efforts to build up the industries of Canada have even been so far rewarded, and that our attempts were in the right direction. I would like to see my hon. friend exhibiting to us his scheme for the benefit of St. John. I should like to see him showing that, by the improvement of the harbour, the establishment of Harbour Commissioners, the extension of the wharves, and the bridging of the River St. John, the city would be benefitted. I should like to see him show that the construction of the Megantic Railway would place St. John 325 miles nearer the North-West than by the Intercolonial, and that there would be nothing to prevent St. John from competing with the whole Dominion for the trade of the North-West. With the denunciations heaped on the Government by hon. gentlemen opposite, where are we to look for the means required to make our railway connection and increase our West India trade? I think it would be better for the hon. gentleman to show us how the country could generally be benefitted than to be all the time running it down. With the necessary railway connection, and a sugar refinery, we should command two-thirds of the West India business, because, by the policy of the hon. the Finance Minister, no sugar or molasses can come into the Dominion unless it comes through a Canadian port. Now, what port is the most advantageous for the West India trade, in which 300 or 400 vessels are required? Certainly St. John, where all the year round the

vessels can get a load of a class of lumber for which there is constant demand, and thus always obtain an outward cargo. St. John is capable of doing something; it is not so down-trodden as the hon. gentleman would have it understood. We cannot blame the hon. the Finance Minister for taking into consideration the development of the whole country. I should blame him if he did not. It would be a narrow policy if he merely legislated for St. John, and not for the whole country. If the Great North-West develops, as we have reason to believe it will do, instead of the 55,000 tons of sweets now imported, we shall probably require 155,000 tons, and Halifax, Montreal and St. John will each take their portion of the trade. Then we shall have our wharves, warehouses, teamsters, and everyone employed. We are suffering now from contraction of trade, and our people are disheartened. Those are the tactics of the Opposition of the day. It is too thin; it will not answer. After a fair trial of the National Policy, when we are enabled to show the people what we have done during the five years, they will see the justice of the Tariff, although it may not have pleased everybody. But I think that we shall be able to look back upon it and fairly say that the Tariff was conceived well and had done its duty. We cannot legislate so as to meet the demands of all classes in a moment; that which will effect the most good for the largest number of people is what we want for Canada. My hon. friend found fault with reference to the sale of old rails. I am sorry myself that they went out of the country, as I would have liked to have bought them with him on joint account. If I could have foreseen that iron would increase 50 per cent., it would have been a brilliant speculation. What is the good of crying about milk that is spilt? Mr. Pottinger got rid of them when he thought there was a good chance of getting a fair price, and I do not think any blame should be attached to the hon. the Minister of Railways for the transaction. My hon. friend also referred to the money portion of the Government's policy. I cannot join with the hon. member for North Norfolk (Mr. Wallace) as far as he goes, but I do not see why we should stand still and occupy the same position in regard to banking

that was occupied 500 or 1,000 years ago. We must progress with the times, and legislate to meet the requirements of the present, and I believe that the Government's proposition to issue the \$8,000,000 is a wise and necessary one. There may be opposition from the banks, because they are jealous of what they consider their own peculiar privileges; but banks are only the mediums through which we trade, and they prosper by the money they make out of the commercial community. The Government are perfectly justified in the step they have taken, and I think they might go further, and take away the whole circulation of the banks. If there is any profit in the circulation let the people have the benefit of it, and if there is any risk let the Government run it; but do not let us allow any incorporated body to make money out of a system of issuing paper money of their own. I am not prepared to champion the "rag baby" our friends talk so much about, but I think that the banks, who show such a great anxiety, and argue that the banks should have a paper issue equal to the full extent of their capital, are really themselves the strongest advocates for the "rag baby," only they seek to keep the control of it in their own hands instead of allowing the Government and country at large to have the benefit of it as well as the profit. I would like to see the Government's banking policy go hand-in-hand with the National Policy in protecting all the industries of the country. I want to see everything made in Canada, except tea and rum. The latter I prefer to see imported, because we will then get the genuine article. I differ with the Government in regard to some of the details of the Tariff, but in those respects they may be correct, and I in the wrong. Although my friends from Nova Scotia may not agree with me, I believe that, if the duty were taken off coal and placed on iron, we would have more coal burnt than we have to-day. Two or three hundred thousands of tons of iron are wanted yearly in Canada for the railways in course of construction, and if that were manufactured here it would necessitate a consumption of from 800,000 to 1,000,000 tons of coal, and we would achieve the double object of making the iron and consuming our own coal, and at the same time developing one of

the most important industries of the country and employing much skilled labour. But the hon. the Finance Minister may say, with Lord Bacon: "Young men too quick, old men too slow; the happy medium is the right one to strike." Perhaps the hon. the Minister may have struck the happy medium, and may increase and regulate the Tariff so as to gradually develop all the industries of the Dominion. The duty upon molasses and the increased cost of living were also referred to by my hon. friend. He told us last year that the duty on shipping material would make ships dearer; but we find they are cheaper, and cost less to build than before. He told us logs would cost more to get out; but we find they cost less. Almost every article that enters into the consumption of the labourer is cheaper. It is only the other day we were paying 8c. duty on molasses, but since this Government came into power molasses is sold at 28c. a gallon instead of from 40c. to 50c. as under the past régime. We find the same thing with regard to sugar. It is stated that Redpaths have made a large fortune out of that article. Well, why should they not, so long as sugar is no dearer. Common raw sugar used to be sold on the wharf, wholesale, at 9c. to 10c. per pound and we can buy refined sugar at less money. So long as the people who use it do not have to pay more for it than it cost to import under the old Tariff, they are not injured, but, the contrary; as it has transferred to Canada the importation of raw sugar from the West Indies, which the United States enjoyed heretofore, and has given our own people employment in manufacturing it. A glance at the following table will show the course of trade:—

	Imports from Great Britain.	Imports from United States.	Imports from West Indies.
	Tons.	Tons.	Tons.
1875...	13,000	19,200	22,200
1876...	23,800	19,300	7,600
1878...	12,780	24,750	16,500

Thus showing you that in one year the change in our favour has been largely in favour of building up the direct West India trade, which we were gradually losing under the blind policy of the late Government. The hon. gentleman talked of Quebec and Ontario as the "back country" of New Brunswick, but I hardly caught his meaning

there. He told us that he voted for Confederation, and that he had since changed his mind on the subject. The question of Confederation should not be dragged into this debate. It is past and settled, and those opposed to Confederation must now accept it whether they like it or not. A petition was sent from St. John, praying for a repeal of the Tariff duties. I have searched the names diligently, and I cannot find any on it but those of persons who were in opposition during the elections. The better plan for my hon. friends, if they wanted to achieve their object, would have been to call a public meeting in St. John for the denunciation of the policy of the Cabinet. They could have got their leading people on the platform condemning the Government, or have asked the hon. the Finance Minister to resign his seat as representative of St. John. That was their proper course; but no, they took half measures. They did not dare to ask them to condemn the Government openly, or ask the hon. member for St. John to resign his seat, which I do not think he would have done even to please them. Then they endeavour to make the country believe that the whole city is against the present policy. I know there is discontent; but the people are poorer in consequence of the fire, and everything is done to cripple the credit of the city. There is no kind word of encouragement said to them by the New Brunswick representatives following Mr. Mackenzie.

MR. CASEY: Hear, hear.

MR. DOMVILLE: My hon. friend opposite says "hear, hear." When his Civil Service Bill comes into effect the citizens will be happy, for they will have a chance of applying for Government situations from him as, doubtless, when a change of Government takes place, he will be Minister of Education, and have the whole patronage of the Civil Service in his hands. But show those people that you take an interest in them, and intend to assist them as well as the people of the North-West, tell them to be hopeful and energetic, and much of the complaining will disappear. Much pressure of another character has been put on the people of New Brunswick; need I refer to it? It has been applied since 1866, since Con-

federation. We have heard of people who wanted certain trifles and little favours, which they could not get because Confederation had ruined the country. In these days it is the National Policy that has ruined the country. When logs went up the other day, the hon. member for Queen's, N.B. (Mr. King), could not well tell the people that the price had been killed by the National Policy in England. In his speech in 1878, he said that the reason why the price was down in England was that the people were too poor to buy them. Now, according to him, it is the people of St. John who are too poor. Doubtless there is a great deal of commercial distress all round; but, unfortunately, New Brunswick is picked out as the party battle-ground. Much has been said about the people leaving the Province; the hon. gentleman (Mr. King) having said that he knew of only one man that went to Manitoba, and that he came back disgusted, but thousands had gone to the Western States of America. I did feel sorry for the emigrant to the North-West when this report was made, because I imagined that this poor man must have felt very lonely by himself, being undecided for a time whether to remain there or come back to Queen's, N.B., or go further west. We were not told the calling of that man, or the conditions under which he departed. He may have gone like Japhet in search of a father, and come back unsuccessful. A great many people have left St. John, no doubt. Was it not better for them to take advantage of the winter and get employment in Boston, Portland, or elsewhere, until spring? Who went away? He says they were operatives in the saw-mills. They could not have been, because, since the lumber rose the other day, there is a prospect of all the mills being at work on the opening of navigation. Logs never come down in winter, and thus the same cause that deprived the saw-mill men of work this year must have done it in years gone by. Consequently, if the men are to cut up deals for the English market, they cannot go to saw in the States. The hon. gentleman (Mr. King) must change front and say they were mechanics in the ship-yards. If so, how can they build ships for Great Britain, if she is not purchasing? As he said last Session, we must look to England to



buy our ships. If ships are not required in New York, as we have found, there being very lately a fleet there unemployed, how can we dispose of more ships than the markets of the world will absorb? There is no demand for them at present. Consequently, at St. John, there are only three or four ships building, where there used to be twenty to thirty. That has nothing to do with the National Policy. What seems to him the unfortunate circumstance is that our political friends took office in 1878—a very unfortunate thing for hon. gentlemen opposite, who were driven out of power by the almost unanimous voice of the poor man, who wished to see a party in power who would respect his welfare and work for his prosperity. Besides, in St. John, we had a very large floating population, much of it from the United States, which came to rebuild the city, including bricklayers, carpenters and other mechanics. I think I have shown that the exodus from St. John is not due to the National Policy, but to the great fire. Returning to the subject of the farming districts, the hon. gentleman (Mr. King) spoke of, I would like to go with him to Queen's, and hear his denunciations of the Government for its Protective policy, before the farmers. He said himself they should be protected, in his speech of 1878, and yet he is unwilling for party purposes to stand by his own convictions and what he knows to be the views of the the farmers.

“He (Mr. King) did not wish to be considered as advocating Protection, but, on the principle of fair play, he would ask for the farmers of his county the same kind of Protection the hon. the Finance Minister was willing to accord to clock-makers of Hamilton, or the manufacturers of patent medicines in St. John. He would also remind the hon. gentleman that hides, wool, and eggs, were all products of New Brunswick farms, and ought, in all fairness to the farmers, to have been subjected to duty.”

Well, there is only one patent medicine manufacturer in St. John, so it can hardly apply to the business. So the hon. gentleman could claim protection for the farmers, and all in his own county are in favour of it; because the last year their agriculture was stimulated by the increase in the price of wheat. It is many years since they sowed so much wheat, we having to import our breadstuffs from Ontario and the United States at a great loss of gold. But last year Queen's grew almost enough wheat to feed all ts

own people for the year. The farmer says: I would rather see flour at \$8 a barrel when I have it to sell. Consequently, no injustice has been done him. I am prepared to advocate against the hon. gentleman in his own county the National Policy. He told the people that my hon. friends did not intend to give them this National Policy. He said: They are going to humbug you. Yet, when they reached power and established this policy, the hon. gentlemen opposite appear disappointed at the carrying out of our pledges. I pledged myself to the advocacy of Protection; and we have the satisfaction of knowing we have been true to our promises. If we have done injustice to the country or our constituencies, or have failed in our duty, we will take the consequences, and not ask the Opposition to sustain or assist us. He (Mr. King) said to the House, in 1878, and I quote from the *Debates* :

“The principal industries there were farming, lumbering, shipbuilding, fishing and the carrying trade. These industries were, many of them, at the present time, struggling for an existence. The cause of this he contended was not to be found in the Dominion, nor in the legislation of this Parliament, but was due to the fact that our customers in Great Britain and other foreign countries were too poor to purchase our staple articles of export from us at remunerative or even paying prices, and the consequence was that prices were run down at fearful rates and our people were embarrassed.”

Thus he admits that the country was not prospering when we came into power, and states as a reason that we are governed by outside conditions, and yet he now tells us the National Policy has done it. He asked for a duty on wool last year for the farmers, and this is granted; yet he says he can get no redress. He told us in 1878 that, as a matter of fair play, the farmers should be protected, whilst now he says Protection is ruination to them. The hon. member is so illogical that I cannot do more than leave it to the people of New Brunswick to form their own opinions of his unpatriotic course. We depend on our constituents; we depend on the whole country to support us in doing our duty. If the country thinks that we have not done what is right, or shown skill in conducting the affairs of the country, we will have the satisfaction of knowing that at least we attempted to benefit Canada; we did not sit down for five years without attempting to do any

thing to alleviate the sufferings of the people. We did our best, and, if we have failed, we have done what we consider in the best interests of the country, and we are willing to accept the verdict of the country, whatever it may be. Better to try and give the trade of the country to our own people, even if we fail, than to be turned out of office, as our friends now in opposition were, by carrying out a policy which drove the best talent out of Canada and made the nation poor, by allowing our enterprising neighbours across the border to take away all our gold, instead of keeping it at home and making the country rich. When the Americans will consent to trade with us on equal terms, giving our people the same advantages as they derive from us, it will be time enough to talk of Free-trade; but, until then, I will never support any Tariff which places our own mechanics, manufacturers and farmers at such an unfair disadvantage as the hon. gentleman from Queen's and the party he follows seek to force on Canada at all hazards.

MR. CAMERON (South Huron): I have listened with a great deal of attention to the remarks of the hon. gentleman who has just taken his seat. I had placed before me on my desk a sheet of foolscap, intending to take notes of the hon. gentleman's points. The sheet happens to be blank, so far. I endeavoured vainly to grapple with the line of argument taken by the hon. gentleman in favour of his position. I understood, however, from the drift of his observations, that, although he was not quite satisfied with the action of the hon. the Finance Minister, he was rather inclined to favour an additional Protection in some things and a repeal of the duty upon some others. On the whole, as I understood him, he was in favour of increasing the taxation that the hon. the Finance Minister had already imposed on the country. He may have changed his opinions, as all great men have a perfect right to change them. He may now be found conscientiously advocating Protection, although several years ago the hon. gentleman was an out-and-out Free-trader. I would not for a moment suggest that it was simply because the hon. gentleman happens to sit upon the other side of the House, and not on this, that he has changed his opinions, and is now support-

ing the policy of the hon. the Finance Minister, who is his leader. I recollect that not very long ago, at all events not long in the history of a nation, Mr. James Domville was present at a Board of Trade meeting, when he did not entertain the opinions he now entertains upon this great question, and, when a member of that Board of Trade moved that a petition should be presented to Parliament praying for a repeal of the duties upon flour, coal and coke among those who voted for the resolution stands the name of Mr. James Domville. I recollect, upon another occasion, when a resolution was moved by a member of that Board of Trade, to the effect that the revenue required by the Government was so great as to afford all the incidental Protection required, and that, instead of adding to the Tariff then existing, the duty should be gradually reduced, so far as the needs of the revenue would allow, the hon. member for King's, N.B. (Mr. Domville), was not satisfied to give a silent vote upon that occasion, but was found among the orators addressing the Board of Trade. Among other things, he said he was himself a manufacturer, and he expressed the sentiment of the other manufacturers of his Province. He would be sorry to see additional duties imposed upon manufacturers, as he believed they could then successfully compete with the world. The hon. gentleman appears to have changed his mind since then, and now he tells his leader that, although he is sorry there are some taxes imposed, upon the whole he is rather in favour of the policy of the Government, and in some respects would like to see additional Protection. The hon. gentleman forgets to tell us whether, in these industries, in which he is himself largely engaged, the policy of the Government has been a success. I understand that at one time the hon. gentleman was largely engaged in the soda trade, but he forgot to tell us whether under the operation of the National Policy his dividends were largely increased or the reverse. He is largely interested, so I am informed, in real estate in the city of St. John, but he forgot to tell us the amount of dividends he had been able to reap from his investments in that city. He has failed to tell us whether the com-

panies with which he is connected, and in which he has a controlling influence, have been benefitted by the policy of the hon. gentleman who leads him in this House. I will now leave the hon. gentleman in the hands of the representatives of his Province, who, I am sure, know well how to deal with him. Before proceeding with the general remarks which I propose addressing to the House I have one observation to make with regard to the speech of the hon. member for East Grey (Mr. Sproule). One of the points on which he relied was that the National Policy had benefitted the classes it was intended to benefit; that it was a material benefit to farmers, the prices of whose produce had largely increased since the 17th of September, 1878. I challenge the hon. gentleman's figures, and I say he cannot find in any great centre of trade, in the western section of the Province of Ontario at all events, that the prices of grain have increased between the 17th of September, 1878, and the 16th day of March, 1880, with the single exception of wheat, and he will admit that the price of wheat is in no way regulated or controlled by what may be done in this House.

MR. SPROULE: I took those figures from the *Globe* newspaper.

MR. CAMERON: But, if the hon. gentleman will look over the *Globe* or the *Mail*, between the 17th of September, 1878, and the 30th January, 1880, he will find that every single article the farmer sells, except wheat, has been reduced in price instead of being increased since the introduction of the National Policy. Another point upon which the hon. gentleman based an argument in favour of the National Policy and justified its continuance was that the deposits in the Savings Banks had largely increased during the last six months of 1879, as compared with the last six months of the year 1878. With all the confidence with which my hon. friend is noted when he ventures to address the House, he spoke of the increase in the number of depositors and the large deposits during the period referred to, and in confirmation of his argument quoted the report of the Post Office Department, and gave the figures of the deposits in the Savings Banks of that Department during the last six months of

the year 1879 and the corresponding period of 1878. With characteristic emphasis, he said: There was the result of the National Policy; the deposits had increased in the six months of 1879 over the six months of 1878 by over half a million dollars. The hon. gentleman told part of the truth, and forgot to tell the whole truth. He forgot to tell what the condition of the account was on the 31st December, 1879. He forgot to tell the House that there had been a falling off in the aggregate amount of deposits for the year 1879 of something like half a million dollars. He forgot to state that, though the depositors had increased in number for the last six months, the aggregate amount for the year had fallen off by half a million dollars. We know that the class of men who generally make the deposits in the Savings Banks are usually the poor people, who put their dollar, or their five dollars, or their twenty dollars in the bank, and, when the hard times come, these men, in order to keep the wolf from the door, have to withdraw their deposits, and the result has been a falling off in the total amount of those deposits by some half a million dollars between these two periods. The hon. gentleman forgot to tell the House another thing, which would account for the increased number of depositors and the increased amount of deposits during the last six months of 1879 and the last six months of 1878. I do not mean to say that the aggregate decrease of these deposits is altogether owing to the policy of the hon. gentlemen opposite, but to one extent they are no doubt responsible for the result. We know that during the last year there have been several bank failures, and the result has been a want of confidence in the financial institutions of the country among the class of people who deposit small sums in these institutions, and we know that to a large extent the Government and the policy of the Government is responsible for that. We know that, with the poor people who deposited with the bank their earnings under a different policy, the moment the uncertainty began to prevail, their confidence began to be lost in our monetary institutions, and they took the earliest opportunity of withdrawing their deposits from these institutions and placing them in the Post Office Savings Banks. These

facts will easily account for the increase in the deposits for the last six months of 1879 over the corresponding period of 1878, and the aggregate decrease for the year. I recollect well, that when, last Session, the hon. the Finance Minister brought down to the House his Budget, in what, to my mind and from his standpoint, was a powerful and able speech—I will give the hon. gentleman credit for that—we pointed out that the promises of the hon. gentlemen opposite made before the elections had not been fulfilled, and that in the nature of things they could never be fulfilled, we were answered by the hon. the Minister of Finance and his friends that it was not to be expected that the mere change of Government and a proposed change in the Tariff, although hon. gentlemen were committed strongly to Protection, would accomplish the object which the authors of the National Policy had in view in a day or a month; that it would require time for the people to understand and appreciate the blessings that would flow from this proposed policy; it would require time to develop fully the surprising results that would, according to the hon. the Minister of Finance's predictions, unquestionably follow the introduction of this new policy. It was a new process of extraction, and, like all other innovations, it required care and skill in the handling, and time in the developing process. We then pointed out: That may be all true enough, but that is not what you told the electors. These are not the arguments you made use of in the political campaign. These are not the arguments by which you deluded the electors into voting for and putting you in office. Then the assurance was: Electors, we will change all this in a moment of time; the hour we are sworn into office the change will be complete—a lasting, abiding, permanent change for the better. We were further answered by the hon. gentlemen opposite, not with a denial of the false pretences under which they gained the object of their ambition—that they could not deny, the evidence was too fresh and too clear to admit of that—but that we were not to expect in an hour the full effects of the National Policy; that we were not to expect in a day that the prosperity promised by the present Administration, as the result of the change of Government,

could be realised; that we were not statesmanlike in our demand that the pledges of the hon. gentlemen opposite should be promptly fulfilled; that we were unpatriotic in drawing the public attention to the continued depression in trade, notwithstanding the National Policy; that we could not expect a miracle in trade from the introduction of an untried experiment; that the National Policy would in time produce its legitimate results. Sir, we knew that all along. We expected nothing; we anticipated nothing but failure; we simply drew the attention of the House and the country to the extravagant promises given and the pledges made by hon. gentlemen opposite to the electors before the elections. We compared the pledges with the fulfilment, and pointed out how marked and distinct the one had been made and how signally the other had failed. We were asked to have patience—to wait. From an honest and sensible standpoint there was reason in this; from honest and sensible men there was fairness in this request; but from hon. gentlemen and from hon. gentlemen's standpoint there was none. They assured the country that, the moment they assumed office, that moment prosperity would return, business expand and trade revive. We knew they were not true prophets; we pointed that out to them last Session, and we were told to wait until the end of the year. Well, Sir, we have waited, waited until the end of the year, waited until their policy had a chance of developing itself; we have waited with the patience and calmness of men who honestly believed that the policy to which hon. gentlemen were recklessly committing the destinies of this great country would in the end prove disastrous to its best interests; we waited with the assurance of the hon. the Finance Minister that the result at the end of the year would justify the position he took. Well, Sir, at the end of the year what do we find? Business expanded? trade revived? prices to farmers higher? the unemployed employed? labour for all? wages higher? the tide of immigration flowing into the country? stock higher? bankruptcies fewer? general prosperity spread all over the country? Not at all, Sir, except in the fevered imagination of hon. gentlemen opposite. Do we find the gloom which the hon. the Finance Minister

spoke of last Session dispelled? The hon. the Finance Minister himself happy with a large surplus? The Public Service carried on as effectually and efficiently as usual? Light-houses, piers, harbours, breakwaters constructed and maintained as in former years? Not at all, Sir. Do we find the dark cloud which the hon. the Finance Minister spoke of last Session, in such solemn tones, removed? The light of a more prosperous day breaking on the commercial horizon? Do we see through the vanishing clouds of commercial depression the silver lining that the hon. the Finance Minister assured us twelve months ago we would see? Not at all. It is true that the hon. the Minister of Finance speaks with confidence, but the tone, the voice, and the manner betrayed the uneasiness within, and still he asks us to wait. Wait one year more? no; two more? no; three more? no; but he says: Have patience and wait. He tells us that no one expected this policy would work miracles; no one expected to raise the country from what they are pleased to call the "slough of despond," in which they say they found it, and place it on a sound commercial and financial footing in one year, and therefore hesays to us "wait." Well, Sir, we have waited with the patience and forbearance of Job for the promised prosperity, and we have waited in vain. We knew the promises made at the elections could not be fulfilled; we knew the predictions made to the House last Session could not be realised, and now, Sir, are we to take the advice of the hon. the Minister of Finance and wait another year? We may do so, and wait until the end of this Parliament—wait until a deceived and indignant people will rise in their might and hurl them from power—and we shall wait in vain for the promised benefits of the National Policy. Sir, hon. gentlemen know it; they know blood cannot be taken out of a stone; they know a poor man cannot be made rich by taking from him the little that he has. They know that you cannot make a comparatively poor country rich by extracting from its consuming millions—using the strong and expressive language of the hon. the Minister of Railways and Canals—additional taxation. That is what the hon. gentleman has undertaken to do—that is the conundrum which the hon. the

Minister of Finance has undertaken to solve—the riddle he has undertaken to unravel unsuccessfully. As the hon. gentleman failed in solving the problem, he should honestly and candidly admit that he has, as able and better men failed before in undertaking a thing that, in the nature of things, cannot be accomplished. Do not continue the delusion, do not perpetuate the shame; with the fact of the failure so clearly staring you in the face, openly and honestly tell the deluded and deceived farmer, mechanic and labourer that you have failed and that you were mistaken in assuring him before the elections that a country could be made prosperous by Act of Parliament. Sir, we told the hon. gentleman last Session what the result of his policy would be. The hon. gentleman admits that the manufacturing interests are not all satisfied, he admits that there is poverty and distress in the land. The hon. gentleman is candid enough to do that; his colleague has not even that candour. He must admit that the condition of the farmer is not improved—that labour is scarce and wages low. He has been eighteen months in office and has failed, utterly failed, in relieving the distress. The hon. gentleman's leader said at Parkhill that the moment they assumed office prosperity would return. It has not returned. We did not believe it then, we do not believe it now; and the hon. gentleman's speech is the very best evidence of the fact. But, Sir, in warning the country against the policy of the hon. gentlemen opposite, we are told by the hon. the Finance Minister that we are striking down the credit of the country. That we are proclaiming to the world that prosperity has not been restored, that the country is still suffering commercial depression, that, therefore, its character and reputation is injured at home and abroad, and that, therefore, we are pursuing an unstatesmanlike and unpatriotic course. Sir, I say that, if the facts on which we base our arguments exist, we are not responsible for the facts or the consequences. If prosperity has not been restored, if the trade of the country is still suffering, if labour is scarce and wages low, if the people are leaving the country, it is the fault of hon. gentlemen opposite; and, if they are now harvesting a crop of idleness, starvation, a beggary of labour and a pestilence of

insolvency, the fault is theirs, not ours. But, Sir, the moment we who sit on this side of the House raise our voices against the policy of the Government, the moment we point out that the policy, if persisted in, can only end in ruin and disaster to the country, that moment we are unpatriotic and our conduct is unsstatesmanlike. Sir, I deny that in any respect we have done more than it was our plain and honest duty to do, thinking as we do on these grave and important matters. But, Sir, if it is unpatriotic in us who sit on these benches to point out, in calm and temperate words, the folly of the policy of hon. gentlemen opposite, how much more is that course unpatriotic when done by hon. gentlemen on the Treasury Benches, with all the responsibility that attaches to the Ministers of the Crown? The House and the country know that the stock-in-trade of hon. gentlemen opposite before they assumed office was striking at the prosperity and credit of the country. The master spirit of the House, who moulds his followers as clay in the hands of the potter, in his famous speech at the amphitheatre, addressing a gathering of his gaping followers, said: "Property is becoming so valueless that you can purchase property for comparatively nothing, and the shrinkage is so great that a man who thinks himself well-off one year finds he is poor the next. I ask, whether wages have not fallen, whether there has not been a decrease in the population and an increase in the number of insolvencies." And yet, with these utterances fresh in the memory of everyone, with every possible effort made by the leader of the hon. the Minister of Finance to ruin the credit of the country, and sink it into that "slough of despond" where the hon. the Minister of Railways and Canals says he found it when they came into power, we are taunted with unpatriotic conduct because we warn the House and the country against the mad folly of relying on a system of unjust and uneven taxation to relieve the commercial depression of the country. Sir, you cannot gather figs from thorns; no more can you hope for continued and permanent prosperity by increased taxation. Hon. gentlemen think that, by adding to the burdens of the people, you can increase the happiness and prosperity of the people. They pre-

claimed that doctrine on the stump, on the hustings, and on the floor of Parliament. I well recollect the exordium of the speech of the hon. the Finance Minister last Session, the impression it made on my own mind, and the mad folly I thought I saw concealed under its wild and visionary theories. I well recollect the bright picture which the hon. gentleman attempted to paint of the sunshine and prosperity that gladdened the hearts of the people of this country while he was in office, and of the darkness and gloom that settled on the land when he retired from office, and the still darker and gloomier condition of affairs when he returned from the ease and retirement of the vice-regal lodge at Frederickton to mix once more in the stirring scenery of active political life at the capital. Sir, no word-painting of mine can at all do justice to the hon. gentleman. Let me recal to the recollection of the House what the hon. gentleman then told us. [*Vide Debates*, 1879, p. 409.] Now, I challenge the hon. gentleman to point to a single instance in the history of Canada where a Finance Minister, whose very existence depended on the credit of the country, who required at once to resort to the money markets of the world to carry on the Public Service of the country, painted so dark a picture of the condition of the country as he then did. The hon. gentleman can find no parallel in history. No, Sir, I am mistaken. History does point to one man madder and wilder than even the hon. the Minister of Finance. He commenced the depreciation of his country. The hon. the Minister of Railways and Canals put the finishing touches to the picture. Last Session, he outdid the hon. the Minister of Finance, and this Session in the violent speech he delivered, he outbid his colleague in the Government, and his rival for the reversionary interest in the leadership of the party, in wholesale abuse and denunciation. He accomplished the finest piece of acting I ever witnessed in the House or out of it, when he said: "If ever I felt I would like to stand in my hon. friend's shoes, it would be to-night." Sir, every word he spoke, every sentence he uttered, every action was a stab at the hon. the Minister of Finance, and an open and palpable bid for

the leadership of the party. He struck out for higher game than the hon. gentleman's shoes. No one in the House could fail to see it. The hon. gentleman has fairly won the position, and can fairly claim the victor's palm, and step into the boots of the leader of the House. The hon. the Minister of Finance must see the folly of entering the contest with his redoubtable rival. The hon. the Minister of Finance cannot but see that the hon. member for Cumberland's audacious statements, his reckless assertions and his successful assault upon facts and figures, won for him the admiration of his friends in the House, and the loud and repeated applause of gentlemen opposite. The hon. gentleman has proved a success, and I congratulate him upon his success. I congratulate hon. gentlemen on the choice they have made. The successor is in every way worthy of the position, worthy of his following, and especially worthy of his great predecessor. Both, out of office, denounced in unsparring and unmeasured terms their political opponents. Both, out of office, did all they could to depreciate and injure the credit of the country at home and abroad. The hon. the Minister of Railways and Canals continued his denunciations on the floor of Parliament after he became the sworn adviser of the Crown. Sir, I have noticed in even my short Parliamentary career that, whenever an opponent was to be denounced and abused, whenever an argument could not be met by a counter argument, whenever in the political exigencies of the party facts were to be distorted and figures made to speak the exact opposite of what they meant, whenever it became necessary to arouse the flagging zeal of the supporters of the Government, the hon. member was on hand, the hon. member played the rôle of a political bully, and always played it satisfactorily. The hon. gentleman, in his Budget Speech of 1879, said: "Where wealth, prosperity and happiness were in Canada, we now find gaunt poverty and distress pervading the country from end to end. I do not envy the hon. gentleman his feelings, when he casts his eyes over the horizon of his country and finds here and there spectres gaunt with famine and distress, poverty where wealth existed, famine where plenty was known."

MR. CAMERON.

Sir, I challenge the hon. gentleman's statements. I take issue with him on the facts; they existed only within the hon. gentleman's vivid imagination. I assert, without fear of successful contradiction, that no country on the face of the earth was more peaceful, contented, happy and prosperous than Canada then was, in view of the great wave of commercial depression that had then passed over the land. The hon. gentleman has unbounded faith in his leader. We will not question that hon. gentleman's honesty or integrity. We will not call in question the correctness of the evidence of his right hon. friend; and I will prove the correctness of my assertion out of the mouth of the gallant knight who leads the House—not hapazard remarks, made in the heat of a political debate, but by words carefully weighed, and calmly and deliberately uttered at a social gathering and among congenial friends, and with a full sense of their importance. The right hon. gentleman said in July, 1878: "I thank Providence we are now, in the tenth year of Confederation, a prosperous, happy and contented people." The hon. gentleman's slanders on the country, that made him, and gave him the notoriety he has so fairly earned; the hon. gentleman's unfounded and audacious statements; the hon. gentleman's unwarrantable attacks on the reputation of the country, I answer, in the calm and deliberate language of his leader: "I thank Providence that we are now, in the tenth year of Confederation, a prosperous, happy and contented people." I will recollect the speech of the hon. the Minister of Finance last Session. I listened to that speech with the utmost attention. I listened this Session to the hon. gentleman's speech on the Budget with profound admiration of the hon. gentleman. The hon. gentleman occupies a unique position in the House. He occupies the unenviable position in Parliament of being able to present his views and arguments with the utmost possible gravity, even though the experience of the past and the facts and figures of to-day stare him in the face and confront him at every turn. He has the faculty—the peculiar faculty—in a marvelous degree, of being able to ex-hume the skeleton of a financial policy, dead and buried forty years ago by the most intelligent and advanced nation

on the face of the earth, and present it to the country as the living embodiment of a policy suited to the wants and requirements of this new land of ours, and present it so as to meet the approval, nay, the enthusiastic approval, of the hon. gentlemen opposite. When my hon. friend from Centre Huron (Sir Richard J. Cartwright) stood up in his place in Parliament, in replying to the hon. the Minister of Finance, and, in his clear, logical and argumentative style, stripped, as it were, the very skin and flesh from the "thing" which the hon. gentleman had set up for the admiration of the country, it stood revealed to the world in its true character, as nothing but a skeleton after all. The hon. the Minister of Finance attempted to cover the exposure through the aid of the hon. member for Cumberland (Sir Charles Tupper), but the speech remains unanswered until to-day, and, in fact, it is unanswerable. I did not envy the hon. gentleman's feelings that night; I do not envy them now. From my place in Parliament I watched the hon. gentleman's actions; I saw his restless and uneasy attitude; I saw his assumed indifference; I saw his futile attempts to ward off the ponderous blows administered by the hon. member for Centre Huron, drawing blood at every stroke; I saw his long and laboured breathing; I saw the smile that occasionally played over his face—the smile was a grim and sickly one;—I saw the hon. gentleman gradually disappearing, lower and lower, behind his seat—I expected every moment to see him on the floor. At once the picture presented by the hon. gentleman mirrored in my mind the stirring incidents that occurred in the Society of the Stanislaw. The hon. gentleman is a reader, and he will recollect that Brown of Calaveras, and Jones of Table Mountain, were earnestly discussing whether a skeleton, discovered by the latter, was the bones of Jones's long lost mule or the remains of the paleozoic age.

"Then Abner Dean of Angels rose to explanation, when

A chunk of old red-sandstone hit him in the abdomen,

He smiled a kind of sickly smile and sunk upon the floor,

And the subsequent proceedings interested him no more."

I will now leave the Finance Minister for a moment or two, and pass to his col-

league, the hon. member for Cumberland; but, before doing so, I have a confession to make. I have always had a strong partiality for fiction. I well recollect that in my boyish days I read with wonderful zest such standard works as "Jack the Giant Killer," "Munchausen," "Robinson Crusoe," and "Gulliver's Travels," and I must confess that even in my maturer years I still retain the partiality for works of fiction, and I say to you, Mr. Speaker, that if you desire to revel in the realms of fancy for awhile, I can recommend for your perusal the latest edition of the latest romance, as revised and corrected by the author, Sir Charles Tupper, and I can assure you you will find in its pages the finest romance of modern times, far in advance of either of the productions that gladdened my childish hours, and to which I have referred. As I propose troubling the House with an analysis of this latter production, I have taken the trouble to arrange the statements in chronological and consecutive order for the convenience of members; and here let me confess to a difficulty that beset me at the outset—the difficulty of naming the hon. member for Cumberland's productions. "Munchausenisms" first suggested itself to my mind. Then "Gulliverisms." After mature reflection, I abandoned those two suggestions and decided on christening the hon. gentleman's offspring "Bounces." I shall therefore proceed to introduce the House to the hon. gentleman's "Bounces." Commencing with "Bounce" No. 1, the hon. gentleman said:

"But he forgets to tell the House that the largest expenditure—largely increased by the hon. gentleman's own acts after he succeeded to power—was \$22,300,000. I showed to the House in the speech I made in reply to the hon. gentleman, in 1878, that, if he deducted from the amount of \$23,316,000 the amounts not included in his own expenditure, it would reduce the amount for which the Government of my right hon. friend was responsible to \$22,300,000.

Here the hon. gentleman boldly asserted that the largest estimate brought down to Parliament by hon. gentlemen opposite when formerly in power was \$22,300,000, but the hon. gentleman did not condescend to give us the figures that made up that aggregate sum. He contented himself with making the bold and reckless assertion. I have taken the trouble to ex-



amine into the matter with care, and I find, by the Public Accounts, to which I would draw the careful attention of the House, that the estimate to which he refers was \$23,685,000, and in addition to this there is an item of \$200,000 for Legislation in the two extra Sessions of 1873, which properly ought to be charged to hon. gentlemen opposite, as they were, by their scandalous conduct, the cause of these two extra Sessions of Parliament. Then there is an item of \$105,000 for the elections of 1874, which also properly belongs to the Estimates of 1873-4. To this should be added the cost of the late Sir George Cartier's funeral, the cost of the New Brunswick School Law, and several other items, which really makes the aggregate of the Estimates of 1873-4 over \$24,000,000—a difference between the hon. gentleman's statements to the House and the facts of \$1,700,000. This may appear a small sum in the eyes of the hon. member for Cumberland, and that the difference does exist the public records afford ample proof. The hon. member for Cumberland then proceeded to say :

“ Would hon. gentlemen believe it? The first estimate the hon. gentleman brought down was between \$26,000,000 and \$27,000,000. The Statutes of 1874 will show that this gentleman, who now charges my hon. friend here with wild extravagance, because he has an estimate of \$25,000,000, with \$1,000,000 more interest to pay, and \$600,000 more sinking fund to pay than were required in his estimate of 1874.”

Before making this bouncing statement the hon. gentleman should have consulted the Estimates for the year 1874-5 to which he refers. He ought to have consulted the records of Parliament; he ought to have read the hon. the Finance Minister's speech of last year. He does not condescend to give us the figures that make up this sum; he coolly tells us that the first estimate of my hon. friend aggregated nearly \$27,000,000, and then quietly passes on to some equally extravagant assertion. On reference to the Estimates for 1874-5, I find that the original Estimates for that year were \$42,230,406, less Public Works chargeable to capital, \$11,606,625, and less paid for reduction of Public Debt, \$5,752,651; in all to be deducted from original estimate, \$17,359,276, thus leaving the Estimates for that year at the sum of

\$24,871,140, instead of \$27,000,000, as the hon. gentleman puts it. The hon. gentleman's figures are astray. His statements are wrong by nearly \$2,000,000, but, in the eyes of the hon. member for Cumberland, that is a small matter. This is “Bounce” No. 2. The hon. gentleman, in his usual exaggerated and extravagant style, then proceeds :

“ Talk of deficits. Well, there is no subject with which he is more familiar. He is a master of deficits. There is no man in this country or in any other that could be found to equal him in the manufacture of that very interesting financial feature, deficits \* \* \* This item swells the total deficits of the honourable gentleman to \$8,116,968. The hon. gentleman may well talk of deficits, when he can boast of having accumulated \$3,116,968 of deficits in those five years.”

Now, Sir, I challenge the hon. gentleman's assertion. I challenge the correctness of his figures. I defy him to make good this astounding statement by the records of the House. The hon. member for Lambton clearly explained that the total deficits during the five years his Government occupied the Treasury Benches were \$5,491,324, less the sum of \$4,190,064 paid on sinking fund; this would leave a net deficit of only \$1,301,260. I ask the hon. gentleman by what process of manipulating the figures he arrived at the conclusion that there was a deficit of \$8,116,968 in 1874-5. I challenge the hon. gentleman to make good his assertion. He cannot do so. This is “Bounce” No. 3. The hon. gentleman proceeded with his criticisms of the financial policy of the member for Centre Huron, and asked, in his loudest tones, and with characteristic vehemence. “ What did the hon. gentlemen leave us when they retired from office,” and he proceeded to answer his own enquiry by stating: “ They left us the legacy of an enormously increased Public Debt and immense public works to construct, that will tax the energies of the country for fifty years to come.” The hon. gentleman, before making this extravagant and untrue statement, should have read the speech of his colleague, in the Session of 1873, and should have made himself familiar with the facts before risking his reputation on these allegations. The hon. the Minister of Finance, in his Budget Speech of 1873, admitted the then Government had pledged the public credit for the construc-

tion of public works to the extent of \$60,000,000. The hon. gentleman would have been nearer the mark had he said \$100,000,000. Scarcely a dollar was added to the Public Debt during the existence of the late Government. I may well, as the people of the country no doubt will, put this outrageous assertion of the hon. member for Cumberland down as "Bounce" No. 4. The hon. gentleman's passion for exaggeration is still unsatisfied. He proceeds:

"From that hour Canada, step by step, sank from the high position it had occupied, until the indignant public sentiment of this country hurled the hon. gentleman and the Government from power. If there is a man in this House, or in the country, who ought to have some little information when he is challenging and investigating the efforts of my hon. friend, who was called in the great emergency of his country to endeavour to lift it out of the slough of despond into which the management of the hon. gentleman opposite had sunk it, it is the hon. gentleman himself."

Sir, I deny, in the strongest language I can use, the statement of the hon. member for Cumberland, that, during the five years the hon. member for Lambton successfully wielded the destinies of this country, the country was sunk in the "slough of despond;" and I answer the hon. member for Cumberland's, unfounded assertion to the contrary by quoting the language of the hon. gentleman's master. The hon. leader of the House stated on the occasion I have already referred to: "We are now in the tenth year of Confederation, and I thank Providence we are a happy, prosperous and contented people," and yet, in the face of the language of the hon. gentleman's leader, he has the audacity to tell the House and proclaim to the world that, during the Administration of the hon. member for Lambton the country was sunk into the "slough of despond." "Bounce" No. 5. The hon. member for Cumberland then tells us, and in order that the House may be seized with the hon. member's identical words, I quote them:

"To-night my hon. friend has been able to come down with the evidence from the public records of the country, and show that his expectations with reference to the effect of the Tariff upon the revenue have been abundantly sustained and placed beyond doubt in the mind of every person, except that of the hon. member for Centre Huron (Sir Richard J. Cartwright)."

Now, I confidently appeal to the members of this House. I confidently appeal to the hon. gentleman's colleagues, when I say that not a single word that fell from the lips of the Finance Minister would justify the hon. member for Cumberland in using this wild and extravagant language. Why, Sir, the hon. the Minister of Finance had the candour to admit that there was a deficit of \$500,000, and gentlemen who are conversant with the financial affairs of the Dominion are well satisfied that the deficit will be largely increased before the 1st of July next. If the hon. Minister's prophecies have all been realised, I ask the hon. member for Cumberland how it is that the hon. the Finance Minister has to come down to Parliament this year and propose a hundred changes in this marvellously perfect Tariff. We can easily understand how hon. gentlemen have apparently reduced the deficit to so low a figure. Why, Sir, any Government can make both ends meet if they pursue the policy the present occupants of the Treasury Benches have pursued. During this Session, I have noticed one hon. member after another rise in his place in Parliament and ask the hon. the Minister of Public Works if he intended to improve this pier or that one. I find other hon. gentlemen asking if it is the intention of the Government to improve this harbour or that one. I find a score of questions of that kind, and the invariable answer is that there are no funds to make those improvements. If the Government starve the public works of the country, and do not repair piers and light-houses, harbours and breakwaters, they may easily come down to Parliament and boast that to some extent the revenue and expenditure has been harmonised. But the hon. gentleman went a step further. He declared that not only did the late Minister of Finance roll up a deficit of \$8,000,000, but he increased the expenditure over the last Estimates brought down by the old Government in 1873 by \$8,500,000. Where did the hon. member get those figures? Did he examine the Public Accounts? Did he examine the Estimates? or was this merely one of the wild and reckless statements he is constantly throwing across the floor of Parliament? On referring to the Estimates for 1874-5,

I find that the amount was \$24,871,000; the Estimate for 1873-4 was \$23,691,000, a difference of a little over \$1,000,000. Yet the hon. gentleman, with his magnifying glasses, magnifies this small excess in expenditure into an increase of \$8,500,000. This is "Bounce" No. 7. There was another statement of the hon. member that astonished me, and I am sure it surprised and astonished many other hon. gentlemen. He stated: "If you go to the farmer, you will find that he recognises the improvement in prices for the articles he has for export or home consumption in the home market." The hon. the Finance Minister told us that every industry in the country was flourishing, that trade had expanded, and business had revived, that, in commodities the farmer had to sell, prices were up, and that, with respect to articles he had to buy, prices were lower than a year ago. The hon. member was bound to be on the safe side, but he ought to bear in mind that, in this, as in everything else, he cannot blow hot and cold. The hon. the Finance Minister's statements were moderate, although incorrect in some respects; and, placed beside the extravagant assertions of the hon. member for Cumberland, they were exceedingly moderate. The hon. gentleman knows very well that wages have not advanced; that what the farmer has to sell has not increased in price, but that what the farmer has to buy has advanced. The hon. gentleman knows that business has not expanded, and that trade has not revived, and that depression and gloom still exist in the land. In confirmation of what I say, I wish to direct the attention of the House to the state of the market on the 17th September, 1878, and the 30th January, 1880. I take the figures from a Toronto newspaper, published in January last. The following table will convince the sceptical that my statements in this respect are fully borne out by facts:—

	Free-trade Prices.	Protection Prices.
	Sept., 1878.	Jan. 30, 1880.
First-class cattle.....	\$ 5 00	\$ 4 25
Second-class cattle....	4 25	3 75
Third-class cattle.....	3 25	2 25
Barley, No. 1.....	1 10	78
Oats.....	34	35
Peas.....	64	65
Dressed hogs, 100lb....	6 00	6 40
Mutton, 100lb.....	7 00	7 00
Hay, ton.....	13 00	10 00
Straw, ton.....	12 00	6 50

MR. CAMERON.

In many parts of the rural districts, hay can now be had at \$6 a ton. Verily an extraordinary way of improving the condition of the farmer.

MR. ROCHESTER: Give us the price of rye.

MR. CAMERON (South Huron): I have not the figures here, but, if the hon. gentleman is in the habit of using rye, he can get the quotations for himself. While the prices of articles the farmer has to sell have increased, the articles he must necessarily buy have largely increased in price. Rubber goods have increased in price 40 per cent., hardware increased 12½ per cent., groceries of all kinds 12½ per cent. Nails are said to have advanced largely, at least \$1 a keg. Cottons and woollens have also increased, and I have no doubt that every article consumed by the farmer is dearer to-day than it was twelve months ago. The hon. gentleman's statements as to the improved condition of the farmer under the National Policy is "Bounce" No. 8. Another statement was made by the hon. member for Cumberland to which I wish to direct the particular attention of the House. I do not mean to say that the hon. gentleman wilfully misrepresented the facts. He did so either wilfully or ignorantly, and, in either case, the hon. gentleman is at fault. I see that he is not in his seat. Well, it is not my business whether he is there or not. It is his duty to be there, and if he is absent it is not my fault. On page 464 of last year's *Debates*, the hon. gentleman in discussing the Budget Speech said:

"I believe the result of the imposition of a duty on coal will be to bring about Free-trade in that article between Canada and the United States."

The hon. gentleman predicted with all the confidence of a prophet, that putting 50c. a ton on coal would necessarily cause reciprocity between Canada and the United States. I ask if his prediction has been verified? Has any proposition ever been made to the United States Government to allow Canadian coal to go in free, in consideration of American coal coming into this country free? The statement of the hon. gentleman in this regard was the most absurd that I ever heard uttered on the floor of Parliament. Here we are 4,000,000 of people, scattered over a territory stretching for thousands of miles, and yet it is claimed that a simple duty

of 50c. a ton on coal will coerce 50,000,000 of people into opening their markets for the introduction of Canadian coal. The hon. member was evidently trying to solve the problem which Lord Dundreary could not solve—he wanted to make the dog's tail wag the dog. But the hon. gentleman went a step further—he said the other night when discussing this question:

“The output of coal in Canada during the past year has largely increased. The duty of 50c. per ton has been the means of opening up the markets of Toronto to some extent. Every person knows that while there was a duty of 50c. imposed on coal during the past year, the price of coal fell to the lowest price it ever was in the past history of the country. We have, as the result of this Tariff, the coal mining interests stimulated without any person suffering in any section of the country, and in adding an additional 10c. my hon. friend expects the coal mining interest of our own country to come into fair competition with the coal of the United States, in Toronto and Hamilton.”

I tell the hon. gentleman that the statement he makes is wholly opposed to the facts; and I challenge him to prove the allegation he thus recklessly makes, with all the responsibility of a Minister of the Crown, in answer to the unanswerable arguments of my hon. friend from Centre Huron (Sir Richard J. Cartwright). I challenge him to prove by the public documents, by any official or authentic documents, by the returns made to Parliament, that a single statement he has made in the speech from which I have quoted on the coal question contains a grain of truth from beginning to end. He said:

“My hon. friend the Finance Minister has been able to prove that every prediction with reference to the effects of the National Policy has been fully verified and carried out.”

We find the contrary to be the case. One hon. gentleman said that the returns submitted to Parliament would prove the correctness of his statements. The documents before the House prove exactly the reverse. There is not a single return, there is not a single Parliamentary or other document or return before the House, that would in the very slightest degree justify the hon. gentleman in the scandalous and misleading statement he has allowed to go abroad throughout the country. What are the facts? If there was a larger output of coal in Nova Scotia

during the last year that output must have gone somewhere. It must either have been consumed in Quebec or Ontario, or been exported to the United States. It has not been consumed in Ontario, as I shall presently prove to your satisfaction. I was astonished by the reckless statements of the hon. gentleman on this point, and I took the pains to examine the Trade Returns for several years, and compared them with the Returns for 1879. I thought I was pretty conversant with the state of the coal trade, but the hon. member's bold and audacious statement fairly took my breath away. I ask him now to listen to what I am going to tell him on this subject, if he is within range of my voice, and, if he is not, then he ought to be. I notice that, whenever the hon. gentleman has made any scandalous statement in the House, or when he indulges in a violent and unprovoked attack on any hon. gentleman, he does not remain in his place until the debate is over, and a chance of reply face to face is given to the member assailed. He prudently keeps out of his place in the House, and out of his antagonist's reach. His conduct may be prudent; it certainly is not manly. Now I desire the hon. gentleman to listen to the figures I am about to quote, and then shall ask the hon. member for Cumberland to rise in his place in the House and candidly state that he had misrepresented the facts when he made the statement I have already quoted. In 1877, the Province of Ontario imported coal from the United States to the amount of 623,205 tons; in 1878, 593,725 tons were imported, and 648,144 tons in 1879. The hon. gentleman, or any other hon. member who takes the trouble to investigate the matter, will find that the figures I gave are correct, and, that instead of the imports of coal into Ontario decreasing in 1879, there was an increase in the importations of 54,419 tons. So that it is clear that, if there was an increase in the product of coal, the increase did not reach Ontario. But it may be said the Province of Quebec absorbed more than formerly. Let us see. I challenge the hon. gentleman's statements on this point with reference to Quebec. Let us see how the record stands. In 1878 the imports of coal to that Province were 257,176 tons;

and in 1879, 277,039 tons, showing an increase of 19,853 over the former year. It is quite clear, then, that the extra output of coal, if it ever existed, could not have gone to Quebec, and equally clear that it could not have gone into Ontario. But perhaps the hon. gentleman may say it has gone to the United States. Well, I will test the hon. gentleman's accuracy by that standard and see if he can escape. I find by the Trade Returns that the total amount of coal exported from the Dominion in 1877 was 249,536 tons; in 1878, 340,127 tons; and we exported in 1879, 315,793 tons. In other words, we exported in 1879, from the whole Dominion, 23,404 tons less than we did in 1878. I have thus shown by the figures that there could not have been a larger amount of coal in 1879 than in 1878. Had there been, the coal must have found an outlet in Ontario, Quebec or the United States. It could not have gone to Ontario, because we imported more in 1879 than in 1878; it could not have gone to Quebec, because Quebec imported more in 1879 than in 1878; it could not have gone to the United States, because we exported less in 1879 than in 1878. And the logical sequence of all this is that the National Policy has not benefitted the coal trade. Now, in view of these facts, what foundation had he for so grossly misrepresenting the coal industry. I ask him to admit that his statements were wrong and calculated to mislead, and to withdraw them at once, and I ask him before making similar statements, intended to go abroad in the country, misleading the great body of the consumers, to turn to the records of Parliament for correct information and to post himself thoroughly up. For the hon. gentleman's information I will read an article on the question I am now discussing. In the *Journal of Commerce*, of 13th February, 1880—a journal that can have no object in lying on this subject—I read the following statement:—

“The output of coal for the United States for 1879 is somewhat less than 1878. The falling off of shipments to the United States is due to the large productions in that country during the year, while the lessened shipments to St. John, N.B., are due to the circumstance that nearly all the new buildings are suited to the burning of anthracite coal.”

I suppose the hon. gentleman will not

MR. CAMERON.

question that authority; it is the authority of a commercial paper, a paper that can have no object in misrepresenting the facts. The figures I have so far given, and the correctness of this article, I challenge the hon. gentleman to deny.

SIR CHARLES TUPPER: I am prepared to sustain the statement that the output of coal in Canada the last year was greater than in the year before.

MR. CAMERON (South Huron): I deny the statement again, and will prove the correctness of my assertions, and the incorrectness of the hon. gentleman's, by the returns brought down to the House, and to which the hon. gentleman has appealed. But the hon. gentleman may attempt to escape by saying that the National Policy has only been in force six months of the financial year, and that therefore the returns afford no fair comparison. That is not the ground the hon. gentleman put it on, and I am discussing the correctness of his allegations; but, even on that ground, the hon. gentleman's statements are wholly beside the truth. We have a Parliamentary return of the output of coal for the last six months and also for the last ten months of the present financial year. We have also the report of the Minister of Mines in Nova Scotia, and all three documents afford concurrent testimony that the output of coal was less in 1879 than in 1878. I am going to establish this fact by additional testimony, so conclusive that even the hon. gentleman cannot escape me. The returns I have alluded to show that, for the first six months of 1879, after the introduction of the National Policy, the imports were 572,884 tons, assuming, for argument's sake, that for the next six months they will be equal to the last, you have about 1,150,000 tons imported into the Dominion. We imported, in 1878, 894,798 tons. Giving hon. gentlemen opposite the benefit of the larger figure—of the return for the first six months and assuming the imports for the next six months to equal it—the amount for this year, under the National Policy, will exceed that for last year by 200,000 tons; and yet the hon. the Minister of Railways tells us there was a larger output from Nova Scotia this year than ever before.

SIR CHARLES TUPPER: I said that the output of coal in Canada during the last year was larger than the year be-

fore. I have the figures for this assertion under my hand.

MR. DOULL: The output in Nova Scotia last year was larger than that of the year before by 18,000 tons. So says the return from the Department of Mines, N.S.

MR. CAMERON (South Huron): I was answering the hon. member for Cumberland (Sir Charles Tupper), who stated that the output of coal in Nova Scotia was larger last year than the year before. The hon. gentleman's whole argument was based on the Nova Scotia output. He had reference to no other coal fields, and from his line of argument could not possibly have referred to any other coal than that of Nova Scotia.

SIR CHARLES TUPPER: I spoke of Canada as a whole.

MR. CAMERON: Where is there coal except in Nova Scotia, to which the hon. gentleman alluded? Is there any in New Brunswick? The hon. gentleman can give no figures bearing on any other than Nova Scotia coal. His whole argument pointed to Nova Scotia, his object being to show the benefits to that business by the development of its coal-mines. In addition to the returns already submitted by me to the House, I have a return for the last ten months of the current financial year, showing that we imported even under the National Policy during the last ten months 864,986 tons. The imports for the next two months in the same proportion would be 172,997 tons, or, for the whole year, a little over a million tons. Now, we only imported in 1878, 898,000 tons, which would leave the importations for this year in excess of those of 1878 about 143,000 tons. So that under the National Policy the evidence is conclusive that the output is less than under the policy of hon. gentlemen on this side of the House. The *Journal of Commerce* of 6th February, 1879, points this out clearly. It says: "In 1878 the import of coal was 894,798 tons free of duty; in 1879, six months, the quantity was 572,884 tons, and the duty \$286,442. The import of coal does not seem to have been affected by the duty." Sir, I have not yet done with the hon. member for Cumberland and the coal question. The hon. member for Pictou (Mr. Doull) said that he has the last returns of the Minister of Mines to the Local Legislature

of Nova Scotia. I have them, also, and will read an extract on this subject to the House, to show still more conclusively the recklessness of the hon. gentleman's propositions:—

"The annual report of the Mines Department, presented in the House of Assembly, gives the following among the productions of mines in this Province for the past year: coal raised, 788,273 tons; coke made, 9,646 tons. In the coal trade of Nova Scotia the total sales for the year 1879 amount to 688,624 tons, being a decrease over the sales for the year 1878 of 4,883 tons."

I think I have convinced the House, at all events those who are open to conviction with reference to the coal question, that the hon. gentleman has, beyond all question, been guilty of "Bounce" No. 9, and I trust I have brought the fact home to the hon. gentleman's conscience. I pass to the question of emigration, and I ask the hon. gentleman if his anticipations in this respect have been realised; I think not. The universal testimony to-day is that the tide of emigration, instead of flowing into Canada, is steadily flowing out of it. Let me read the hon. gentleman a few extracts culled from the public press on this subject. A paper published in Summerside says: "It is estimated that over 300 people have left Summerside within the last eight months, and only seventeen emigrants have come in. The National Policy has not helped Summerside or Prince Edward Island so far." A Nova Scotia paper says: "Two hundred and sixty farmers left Liverpool a few days ago to take up land in Texas; most of them were fairly provided with means." Another paper says: "A party of 250 Canadian emigrants bound for Kansas, passed through Detroit a few days ago by Grand Trunk Railway and went west by the Michigan Central." When the hon. the Minister of Finance was presenting his Budget Speech last year, he was good enough to tell us that the National Policy would open up the country, that it would create increased activity in business and commercial circles, that large capitalists would invest in manufacturing industries, that it would stimulate business enterprise of all kinds, that confidence would be restored, that the dawn of a better and brighter day was about to break on the commercial horizon, and that all this would encourage a steady and continued flow of emigration to Canada.

The hon. the Minister of Railways and Canals, never behind his rival, painted in still more brilliant colours the picture of this great country under the policy in which they were then launching the destinies of this country, and cheered us all with the assurance—and hon. gentlemen know how assured and confident the hon. gentleman always is; he never hesitates, and he never doubts—he assured us that, the moment the news reached across the ocean that Canada had adopted a National Policy, that moment there would be an overwhelming rush of emigration to Canada from the centres of population in the Old World, who would spread all over this country, and rapidly populate with millions the vast fertile fields of the North-West.

MR. ORTON: May I ask the hon. gentleman what he is reading from?

MR. CAMERON: If the hon. gentleman is very anxious to know, he can come across the House to me and I will tell him all about it. I am giving him information he never had before. I am reading extracts from Nova Scotia, Prince Edward Island and other newspapers. And, by the way, I do not wonder that people leave the country to take up land in Texas, because it is pretty clear that we have men, formerly in this House, acting as emigration agents, for the sale of lands in the United States, and issuing pamphlets under the authority of our Agricultural Department. And now, Sir, we see the effect of it. We see that sixty farmers with their families left Liverpool, Nova Scotia, 300 left Summerside, and thousands left other parts of Canada to take up land in Texas. This is not all. We find, by the report of the American Consul at Sarnia, that, for the three months ending 1879, 22,600 people passed from Canada by that port to the United States. And from that report it is clear that we have been sending out of the country the very class of men that, above all others, we ought to retain in the country. I will read the American Consul's report on the subject. He says:

"Some idea may be gained of the manner in which emigration to this country is increasing by the fact that, for the quarter ending December 30th, 1879, the total number of emigrants entering this port was 22,600. Of this number 176 were cabinet-makers, 741 carpenters, 2,804 farmers, 402 farm-labourers, 7,505 labourers, and 134 shoemakers. Nearly all these emi-

grants brought with them money enough to give them a start in the new world to which they come."

Another American authority says that 100,000 persons have emigrated from Canada to the United States during the past year. If that is so, and I have no reason to question the correctness of these statements, the hon. member for Cumberland cannot honestly say that the National Policy has encouraged emigration to Canada, and I can therefore safely call this "Bounce" No. 10. I now pass for a moment to the question of the manufacturing industries of the country and the hon. member for Cumberland's bold and defiant language on the subject. The hon. gentleman is always bold, audacious and defiant. He said: "I defy him to put his finger on a single industry in Canada of any kind that is not in a better condition than it was a year ago." Sir, I take up the hon. gentleman's challenge, and I answer his defiance, not with bold words and audacious assertions, but with a few plain, simple facts. I ask the hon. gentleman if he or his colleagues or friends in Parliament did not send to every manufacturer in Canada a circular marked private and confidential, asking for information as to the working of the National Policy? I ask him if answers were not returned to these circulars, and if the hon. gentlemen have not now got these answers in their possession, and if these answers were to be submitted to Parliament? Sir, these answers were not satisfactory to the hon. gentlemen opposite and these answers are concealed from the people. The circular to which I refer is as follows:—

"Private.

"OTTAWA, Ont., July 22nd, 1879.

"DEAR SIR,—Would you kindly confer on me the favour of filling in the annexed answers and returning as soon as possible, as I desire to prepare a full record, and shall rely upon your judgment in making returns for your district.

"Very sincerely yours."

This circular was scattered broadcast over the land. One has some curiosity to see the answers to it, and I think hon. gentlemen opposite should at once bring these answers down to Parliament. As the hon. gentleman has failed in the discharge of this duty, I propose submitting the answers sent by one of the

parties to whom the circular was addressed, as a sort of specimen brick. The person alluded to added the following information as the result of the National Policy:—"Monkland Mills closed; Fergus Mills closed; Johnson's Tannery closed; Sewing Machine Factory closed; Douglass Mills closed." One would think this list of disasters enough for one village to chronicle. The correspondent, however, adds, under the head of "Industries started since the Government change of Policy," "Six marriages and twelve deaths." The hon. gentleman defies us to point out a single industry that has not prospered under the National Policy. I ask him what has become of the great corset factory of Windsor, that was to employ 500 hands? Sir, it does not exist. The hon. the Minister of Finance visited a number of factories last fall, with a view of ascertaining the exact condition of the manufacturing industries. The hon. gentleman was graciously received wherever he went, and, because he was graciously received, he returned to Ottawa triumphantly declaring that the National Policy was a great success. But hon. gentlemen should remember that it is not at all to be wondered at that the hon. gentleman, with his smiling and beaming countenance, was received with cheers wherever he went. That is not to be wondered at from men whose fortune the hon. the Minister of Finance could make or mar with the stroke of his pen. But, while my hon. friend took so much pains to visit some factories, I ask him were there not a good number of factories which the hon. gentleman took particular pains to pass by—factories that have passed out of existence since the National Policy came into force. The hon. gentleman visited one factory in Guelph, and the result of the visit was that he had not left there twenty-four hours when that factory went into insolvency, and now offers to pay twenty-five cents on the dollar. The hon. gentleman in his visit to Almonte neglected to visit the Almonte furniture company, the Almonte iron works, the Almonte woollen extract mills, the Cameron extract mills, and a number of other industries that had been killed under the National Policy. The hon. member for Lincoln follows in the same track as the hon. the Minister of Finance and the hon. member for Cumberland, and

declares that, without any exception, the manufacturing industries of his section are in a flourishing condition. Why does the hon. gentleman not know what is passing at his own door? Does he not know that, of all the cities of the west, St. Catharines has the unenviable notoriety of being the most distressed, and of having benefitted the least by the National Policy? Let me read to the House what a newspaper published in that city says with respect to the trade of the place and the National Policy.

"In regard to the efforts of the National Policy in Lincoln, we may mention the closing of the Union Foundry that once employed 50 men, the Spoke Works with a pay list of 60 men: the Dolphin Works, 20 men; the shipyards—Shickluna, 200 men, and Simpson, 75 men; Sullivan's Planing Mill, 20 men; McCormick's, Dyer's, Sword's, Dolson's, Riddle's, Switzer's, Dougan's, Jane's, Badgley's, Ness Bros., John Sutton's, Wilson Bros., and others, builders, not a single man of whom, with the exception of Mr. Dougan, who has three or four men employed, is now employing labour, and the most of whom have come to financial grief. Indeed there is not a single building enterprise unscathed in the city by commercial depression. And, besides these, G. and N. Oille, who a short time ago employed sixty men now have ten on their roll; Abell Bros. have been reduced from fifteen men to three men; Holmes and Greenwood from fifteen to three men; Wales, from twelve to three men. And dark as this picture is, it is by no means complete. Not less than 2,500 inhabitants have left the city during the past eighteen months for the United States—nineteen families, representing about 150 people, within the past month, by the Great Western Railway alone. Rents have been reduced on all unleased property in the city fully 50 per cent. There are not less than 400 vacant dwellings and places of business. As against this most painful revelation of depression, we have only to record the establishment of a single new enterprise within the limit of the city, namely, a Cotton Batten Factory capable of a business of from \$12,000 to \$15,000 a year, and employing some six or eight men and boys. We defy Mr. Rykert to enlarge upon this list of advantages, or to gainsay a single item of information here placed on record. It is true that the Saw Factory, especially protected by the Government Tariff, has been able to maintain its prosperity, though there has been no appreciable increase in the number of hands employed or the amount of wages paid. The Axe Factory is also in operation, though employing many men less than three and a-half years ago. It would be interesting if some member would read these facts in Parliament and ask Mr. Rykert to explain."

AN HON. MEMBER: That is a Grit organ.

MR. CAMERON: That organ chal-



lenges the statement of the hon. gentleman from Lincoln; it defies him to prove the statement he has made in the House, and tells him, if he goes up to St. Catharines, he will see the condition of the industrial classes there.

**AN HON. MEMBER:** It is the biggest liar in the country.

**MR. CAMERON:** I think there is one exception. The hon. the Minister of Finance says the people are satisfied with the National Policy. Sir, I deny it. I would ask the hon. Minister if, on his tour in the west in search of a "hum," he did not make a speech in the city hall, London, and if, on that occasion, he was not besieged with people of all classes complaining of the bad effects of the Tariff; I ask him if some of the warmest supporters of the Government in that city did not point out to him that the Tariff was so badly constructed that it would require a week to point out its injurious effects on the dry-goods trade alone. I ask him if the wholesale grocers, the confectioners, the carriage-makers, the glove-makers, the chemical manufacturers, were not one and all complaining of the injurious effects of the Tariff on the industries in which they were engaged; and in some measure to meet these complaints the hon. gentleman does not propose amendments to what the hon. member for Cumberland calls a marvellously perfect Tariff.

**AN HON. MEMBER:** The lawyers were not complaining, were they?

Some **HON. MEMBERS:** Order.

**AN HON. MEMBER:** That is in order. The lawyers were not finding fault.

**MR. CAMERON:** I quite understand the hon. gentleman's intentions in making this interruption, but I am not to be put out of my line of argument by the hon. gentleman's interruptions; he does not know any better. The hon. the Minister of Finance, having pointed out the success of the National Policy in the west, now tells us that the manufacturing industries in his native Province, New Brunswick, are flourishing. He tells us that sugar refineries, glass factories and cotton mills are springing into existence there. The hon. gentleman forgets that he told us precisely the same things in his speech of the 17th April, 1879, in this

**MR. CAMERON.**

House. The hon. gentleman then expressed his surprise that the National Policy, only in existence one month had so stimulated all kinds of trade that these manufacturing industries were called into existence in the short space of one month. The hon. gentleman points to-day to precisely the same industries and tells us that now they are about to spring into active life, and that the National Policy is the cause of all this. The hon. gentleman forgets his speech of last year and the significant fact that these industries are no further advanced to-day than they were twelve months ago. In fact, without elaborating this point, I may say in general terms that the returns brought down to Parliament, the information gathered from all sections of the country, show very clearly that the National Policy has so far proved a failure in restoring general prosperity, and that the hon. member for Cumberland's defiance to us to point out a single industry that is not in better condition to-day than twelve months ago, is like all that hon. gentleman's assertions, vain and empty boasting, and I am safe in putting this down as "Bounce" No. 10. I have one other observation to address to the hon. member for Cumberland, and then I pass on for a moment or two to more congenial work. The hon. gentleman tells us with the greatest possible gravity, addressing the House in an exceedingly offensive tone, that:

"The hon. gentleman forgets that, in an unfortunate hour for the Opposition, the late Premier, in an evil hour for his party, in an evil hour for Canada, selected a renegade Tory as Minister of Finance, a man who had openly on this floor admitted that he left his party because he could not obtain the position in it for which he thought his talents fitted him."

I ask the hon. gentleman on what authority he makes this scandalous charge? I ask him to produce the evidence on which he alleges my hon. friend left the Conservative party because he could not obtain the position which he thought he was entitled to. The hon. gentleman ought to know that my hon. friend left the Conservative party when no honest or honourable man could longer belong to a political party whose leaders had prostituted their positions to the basest possible purposes. My hon. friend has all along maintained a clear record

and high political reputation. He could do neither by longer continuing in the ranks of the Conservative party. He left his former political associates, but, before doing so, notified the leader of the party that he could no longer be considered a member of the Conservative party, and yet the hon. member for Cumberland has the audacity to say that my hon. friend left the Conservative party for mercenary motives. Sir, the charge has been made before now, and denied over and over again, and the stale scandal is to-day repeated with renewed venom by the member for Cumberland. My hon. friend challenges the correctness of the statement. He challenged the hon. the leader of the Government to publish the letter in which he announced his intention of severing his connection with the Conservative party, as that letter contained the clearest indication of his conduct. The hon. the leader of this House has not had the manliness to do so, and so the old story is repeated by the hon. member for Cumberland. If the hon. gentleman can take pleasure in wallowing in such political offal, so far as we are concerned he shall have a monopoly of it. But let me ask the hon. gentleman if, when he called my hon. friend a renegade Tory, he reflected on the history of himself and his colleague. Let the hon. gentleman look behind him and before him, to the right of him and the left of him, and he will find himself surrounded with renegade Reformers. What is the hon. gentleman's colleague, the hon. the Minister of Finance, but a renegade Reformer? Is the hon. member for Cumberland again poking fun at his colleague? It looks marvellously like it. But let me ask the hon. gentleman if he is not, if not a renegade in politics, at least a renegade in principle. Why the hon. gentleman has changed his political views at least a score of times in his political life. Why, Sir, in 1870, the hon. gentleman was a loud-mouthed Protectionist; in 1874, the hon. gentleman was a rampant Free-trader, and made a powerful Free-trade speech in Parliament, and denounced my hon. friend from Centre Huron, when proposing some slight changes in the Tariff, as being a Protectionist and about introducing the thin edge of the Protection wedge into our commercial policy; in 1875, the

hon. gentleman went back on his first love and became a Protectionist. In 1876, when it was generally believed the Government proposed to increase the Tariff, the hon. gentleman again became a Free-trader, and came down to Parliament with a stirring Free-trade speech in his pocket. The hon. the Minister of Finance did not propose a change in the Tariff, and everybody knows that powerful Free-trade speech was lost to the world; but the hon. gentleman was equal to the occasion; he had no conscientious scruples about changing sides; and, at 6 p.m. of the same day, the hon. gentleman came down to Parliament and delivered a strong Protection speech. The hon. gentleman's friends need have no fear of him. He can change sides, in either politics or principles, quicker than any man, either in the House or out of it, and yet the hon. gentleman has the audacity to challenge my hon. friend as a renegade Tory. I have now done with the hon. member for Cumberland. I have endeavoured, I must admit but feebly, to analyse the hon. gentleman's speech. Time does not permit me to pursue the interesting enquiry. It affords an unending and exhausting theme for the curious and enquiring mind, and, for the information of those who may be inclined to dig still deeper into these mines of modern romance, I may say that I have tabulated the hon. gentleman's assertions under different heads, and then struck a general average, with the following result:—75 per cent. of "bounces"; 15 per cent. of "struggles between the hon. gentleman and facts," in which the facts always came off second best; and 10 per cent. with a grain of truth. I now leave the hon. gentleman to the tender mercies of his friends, and pass to the hon. the Minister of Finance. The hon. gentleman tells us that there is a considerable falling off in the Excise, and he is pleased to attribute that to the increase of temperance principles. As a teetotaler myself, I could heartily join with the hon. gentleman in congratulations, if the hon. gentleman's opinions in this respect were correct. I fear, however, that the hon. gentleman is mistaken. Did it never strike the mind of the hon. gentleman that the falling off may be accounted for in a much more likely and less satisfactory way?

Did it never occur to the hon. gentleman that it might be accounted for by the fact that there is more illicit distillation and more smuggling now than there ever was before? I venture to say that it will be found by the returns of the hon. the Minister of Inland Revenue that there have been more seizures for illicit distillations in the last twelve months than ever before. In many portions of the west, the hon. gentleman can get as much swamp whiskey as he likes. It is clear from the number of convictions under the Revenue Act that there is a large amount of illicit distillations, and it is equally clear that this illicit distillation is the direct result of the change in the Tariff; and increase in the Customs or Excise duty beyond a certain point always encourages smuggling or illicit distillation. It will be recollected that, when the hon. member for Centre Huron brought down his Budget in 1874, and proposed some changes with respect to the Excise on spirits, the hon. member for Cumberland denounced my hon. friend's proposition, and stated that, if the changes were made, the result would be an enormous amount of smuggling and illicit distillation. I commend the member for Cumberland's speech to the hon. the Minister of Finance. In his predictions, the hon. gentleman will find the secret of the falling off of the Excise in this respect. There was another statement made by the hon. the Minister of Finance that surprised me a good deal—that is with reference to the duty on sugar. The hon. gentleman will admit that the condition of the sugar trade today has not fulfilled his anticipations. I find the following statement made by the hon. gentleman with regard to the sugar duty. He says:

“With regard to sugar, there will be a decrease in the price of it. This has been questioned, but I have not the least doubt, under the operations of this Tariff, there will be a decrease in the price of that article also.”

I ask the hon. gentleman now if the price of sugar has been reduced by reason of the hon. gentleman's Tariff? Everyone knows that it has not, and that today sugar is at least a cent a pound dearer than it was twelve months ago. The hon. gentleman's predictions have not in this respect been verified, any more than the other predictions of the other hon.

gentlemen who sit opposite, predictions so lavishly made and so signally unfulfilled. Before I resume my seat I wish to refer for a moment or two to the hon. the leader of the Government, who told the people in his famous speech at the amphitheatre, Toronto, before the elections, that property was becoming so valueless that it could be purchased for comparatively nothing. I would like to ask the hon. gentlemen on the other side of the House if, since then property has increased in value. The universal testimony from all sections of Canada is that it has not. On the contrary, the price of property has decreased by 25 per cent. outside the large cities or manufacturing centres, a decrease that is simply enormous considering the circumstances of the farming classes. There are scores of houses in the small towns and villages in this country that you can get for little or no rent, and in many places you cannot get them occupied even for the taxes. In Western Canada, land can be bought for \$20 an acre less than two years ago, and yet hon. gentlemen tell us of the wonderful success of this National Policy. The hon. the leader of the Government also referred to the shrinkage in the value of stocks. Everybody knows that my hon. friend's predictions in that respect have not been verified. Let me read a quotation showing the market price of Bank Stocks in September, 1878, and February, 1880:

## BANK STOCK QUOTATIONS.

	15 Sept., 1878	17 Feb., 1880.
Montreal.....	171	138½
Ontario.....	83½	72½
Consolidated.....	74¾	Suspended.
People's.....	74¼	60½
Molson's.....	95	80
Toronto.....	140½	122
Merchants'.....	96½	91½
Eastern Townships.....	106½	100
Exchange.....	78	50
Ville Marie.....	65	
Federal.....	104½	101

The shrinkage on these stocks since September, 1878, amounted to several millions of dollars, and a part of it is undoubtedly due to the National Policy. Some of these banks have passed into insolvency since hon. gentlemen came into office. I do not mean to say that that was the result of the National Policy, but what I do say is that the National Policy has not improved the condition of the stock or

any other market, as the hon. gentleman said it would, and in that respect also the hon. gentlemen have proved themselves false prophets and deceivers of the people. In a word, Sir, this policy has not had the effect of building up a trade expanding commerce, creating general prosperity, inducing a tide of emigration, and imposing new life and vigour into business generally, as hon. gentlemen said it would. The hon. the leader of the Government told us that in 1878 trade was dull, wages low, the young men leaving the country, and the captains of industry by thousands passing into insolvency. We say the condition of affairs is worse now than in 1878, and that hon. gentleman replies not with a denial, but with the statement that the increased number of insolvencies is owing to the expected repeal of the Insolvent Law, and that traders were anxious to rush into insolvency before the Insolvent Law was repealed. Does the hon. gentleman not know that no one can become an insolvent of his own accord? That can only be done by his creditors, and, if the creditors are pushing men into insolvency now, the same state of things existed in 1878. I cannot close my remarks without drawing the attention of the House again to the fact that the evidence shows that no one has been benefitted by this National Policy but the sugar refiners and the manufacturers of cotton and woollen goods. The evidence is equally clear that the farmer is injured, the merchant is injured, the mechanic is injured, the labourer is injured, in fact it is injury, ruin and disaster all along the line. One word in this connection, and I shall have done. The hon. member for Cumberland referred to the condition of the labouring classes in Canada, and especially in the city of Ottawa, and stated that their condition is better now than in 1878. He said that my hon. friend the member for Lambton was inundated with applications from the starving poor of Ottawa; that they asked for bread, and he gave them a stone; and that so great were their importunities that my hon. friend had to go down a back stairway to avoid the hungry and maddened crowd who came to him for assistance. The hon. gentleman forgot to state to the House and the country that, within the last few days, and in the face of Parliament, the hon. gentleman at the head of the Government and his colleagues were besieged

by those same hungry and starving men, gaunt with distress and famine, who laid siege to the Parliament buildings and prevented Ministers from peaceable access to Parliament, except through the aid of the *posse comitatus*. When these poor and starving men asked for work, everybody knows the answer hon. Ministers gave them. The starving asked for a fish, they got a scorpion; they asked for bread, they got a stone; they asked for honest labour, they were given the advice that Horace Greeley gave the young man, "go west." They asked civilly for the privilege of earning their living near their homes, they were invited to go to British Columbia at their own expense, and there compete with "Chinese cheap labour." That is the advice, that is the assistance that these champions of the workmen before the elections gave them, when their services were no longer required. They said: True we promised you work, we promised you good wages and constant employment, but unfortunately, now we have no work; we can do nothing for you; Government cannot interfere; go to British Columbia; emigrate. That was comforting advice for the dependent but honest labourer, who begged for the privilege, only the privilege, of earning his living. Go to British Columbia. Men whose families were starving, men who had not a meal in the house, nor a dollar to procure one with, were coolly advised to go to British Columbia. The conduct of hon. gentlemen opposite is a direct insult to the poor and labouring classes; an insult that I am sure they will not forget; an insult that the labouring classes of Canada will wipe out at the next election. One word of advice to my hon. friend opposite and I have done. Sir, I well recollect the remarks of my hon. friend last year in closing the debate on the Budget. He told us he had devoted the greater part of his life to the service of his country; he told us that he had been engaged in many of the stirring scenes and events of his long political life, and now, in his old age, and when the shadows were slowly, but surely, coming over him, the one hope and aim of his life was to leave to his children an honest name and unblemished political record, and that now his highest ambition was to leave them and the country he had served so well the National Policy as a heritage. Sir, I

trust it will be many a long day before the hon. gentleman's always beaming and pleasant face shall have passed away from among us. But, before the time does come, as come it must, before the day wanes and the shadows grow longer, I trust the hon. gentleman will retrace his footsteps, become a wiser and better man; fall back on the honest reputation honestly acquired in the vigour of his manhood and the maturity of his judgment, in his native Province, fighting the battles of the people against the enemies of the people, fighting the battle of civil religious and constitutional liberty against the foes of all; that he will leave this heritage to his children is my earnest prayer, and not the shadowy and shattered one which he has lately acquired as the champion of a policy that can have but one termination—disaster to the country and oppression to the poor.

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

#### After Recess.

MR. BOULTBEE: I listened to the speech of the hon. member for South Huron (Mr. Cameron). It did not seem very clear to me, and I do not think it seemed clear to him or anyone else who heard it. I did think that the question now before the House was so important that it deserved to be treated with some degree of gravity and consideration. This question should not be treated with the flippancy with which he treated it, and I must confess that I wondered that a gentleman who is so old a Parliamentarian as himself, a man who has been so long in the councils of the country, should have made such a harangue as he has delivered. I could not see what he was driving at, and found no solution until I heard him declare himself the sort of literature on which he had slaked his thirst for knowledge in his youthful years. He told the House confidentially that, when young, he had perused "Jack the Giant Killer" and the "Arabian Nights," and various other works of fiction of a cognate character. A gentleman who has read so much of literature will doubtless recollect an old saying of one of the ancient poets "that a tub retains very long the odour of the liquor that has been kept in it." He would doubtless pardon me if he were present for comparing him, even figuratively,

MR. CAMERON.

to a tub—not an empty tub by any means, as we have had evidence to-night—but, if we were to test him by the old saying of the tub we should come to the conclusion—I do not think I am uncharitable in saying so—that not only had he perused "Jack the Giant Killer" when a child, but that he had not read much of anything else since. That would be the conclusion we would naturally come to on hearing the style in which this hon. gentleman addressed the House on this grave subject. He told us also—I suppose it was for the amusement of the House—a very affecting anecdote about a mule, and his voice certainly became turned to an accent of kindly sympathy with the animal while he was narrating the incident. I could not gather what it was exactly, but I understood the point of the story to be this: that some man, with a lack of common sense, coming too near a mule, got kicked by the animal. Fortunately, perhaps, for the hon. gentleman, there was no mule in his immediate vicinity at the time of his speech; so he was relieved from any danger, for, though he expressed himself so kindly towards the animal, he might have met with the same fate as his friend on the occasion referred to. I could not understand very well what the hon. gentleman was driving at, but several hon. members from the Maritime Provinces, sitting near me, gave me to understand that one of the subjects he was talking about was coal. Now, there is nothing we in Ontario hold to be so important a matter as the duty that was imposed upon coal. We were willing, though it came principally out of our own pockets, that a fair duty should be imposed on coal, so that the Maritime Provinces should have some balance of compensation for the duties on commodities which they require. I was anxious to learn how the matter had resulted, and I find that, instead of its being correct, as he stated, that the quantity of coal imported into Ontario and Quebec had not increased, it has increased during the past year very largely; that something like 50,000 tons of coal more were brought from the Maritime Provinces this year into the Upper Provinces than before. The Government are now arraigned by the Opposition speakers for having formu-

lated and inaugurated a Tariff and a fiscal policy for this country which has not worked satisfactorily—that is their pretension—and which has placed us in a worse position than before. Now, it is unfair to charge the Government with that Tariff. In proposing that Tariff, they only obeyed the clearly understood will of the whole people. I can speak at any rate for Ontario, and I know that, throughout that Province, in every city, town, village, and township, the Protective policy was put forward by every man who took an interest in the welfare of the country, not only Conservatives but Reformers, and I take it that the Government, in framing this Tariff, was only giving an expression to what was the will of the people. The last election that took place, so far as Ontario was concerned, was an extraordinary election. It brought men into this House, myself among the number, I dare say, that never would have come had not the people determined that this policy should become law. The people rose, not only the Conservative party, but the flower of the Reform party, and put down their foot so strongly in favour of having something done in the way of remedial legislation that many a man was returned to this House who would not otherwise have come here. It was that question that brought out men like Robert Hay, peaceably pursuing his avocations, to separate himself from the party with which he had been connected for a lifetime to join with men who proposed to do something for the country in the hour of its need. This was the view taken by the people throughout the Dominion, and no man of common sense, or common honesty, can deny it. What, then, was the duty of the Government? Could they shut their eyes to what the people wanted? Were they to let the country drag along from worse to worse, or to try by wise legislation to bring about a better state of things? I think that was the duty of the Government, and I think I shall be borne out by any fair-minded man in saying that the duty of the Opposition should have been—though they doubted the wisdom of that policy, yet when they found that the country was against them and they came back to this House with such a miserable following in numbers,—

to accept the situation. Their duty should have been to say: Well, we did not agree with this policy, but the country wished it carried out, and we will endeavour to help the Government to give it effect. Such was their duty, and such would have been the course of patriotic men. We read of many cases in other countries where the Opposition have felt it to be their duty to submit themselves to the will of the people and endeavour to carry that will into effect. But what do we find the Opposition doing here? They are not trying to assist the Government and the country to put that policy into shape; they formulate no proposition, they bring in no resolution, they do not propose any amendment; but they devote all their energies to petty, carping criticism of simple incidents arising out of this policy. They are striving to make one man dissatisfied with his neighbour, one Province dissatisfied with another Province; they are trying to set the Maritime Provinces against Ontario and Quebec, trying to bring out British Columbia in opposition, trying to create jealousy and dissatisfaction everywhere, while we are trying to weld all these Provinces together into one powerful Confederation. Sir, that is not the course of patriots; that is not the course of men who love their country well. The hon. gentleman who spoke last asked how we could expect to make a country rich by adding to its taxation. He surely must have forgotten how, when the party he supports was in power, it rolled up deficits and pledged the country to such enormous expenditure that the imposition of fresh taxation became an absolute necessity. The revenue had to be raised, and it was the part of wisdom to make the raising of that revenue advantageous to our own people, when duties had to be imposed. But we have not raised one dollar more than was necessary; it is hard enough to raise a sufficiency. I think we are fortunate that the hon. the Finance Minister has been able so nearly to make the revenue balance the expenditure, and I think the country is grateful to him for it. I think it is scarcely respectful for hon. gentlemen on the other side to speak as they have done of a gentleman of the character of the hon. the Finance Minister—sneering at his intelligence, sneering at his

ability. The late Minister of Finance made use of an extraordinary expression, which I took down; he said the present hon. the Finance Minister was a very accommodating Finance Minister, and that he had a very accommodating following. It seems to me, from what I have been able to observe of men and things, that statesmen are not those who are so bound up in the arrogant, selfish egotism of their own esteem that they can make no change. It seems to me that wise statesmanship is rather shown by making a change when the changed conditions to which the country is subject show that an application of new principles was to be made. Statesmanship is not that a man shall stand on the pedestal of his own dignity, repelling from him all counsel, allowing no one to come near him and saying: I know this thing, and only me, and I permit no man to interfere with me. The great "I" sticks out too large in a man like that. Statesmanship is shown in being able to adapt oneself to the changed circumstances of the country, but I mean that the change should only take place after the gravest consideration, and after consultation with the best men that can be found, not by reason of mere petty spleen or disappointed personal ambition. Now, how has this Tariff been received by the country? Is it a fact, as stated by the Opposition, that it has been received with widespread dissatisfaction, that every man is miserable and distressed? No, Sir, it is not so. The feeling of the country is not changed that this is a wise measure and will prove beneficial. But no man who is not blinded by mere party bigotry would pretend that prosperity could be brought in nine months, necessitating as it does a change in the whole fiscal relations of the country. In making this great change, probably more than a twelve-month, perhaps two years, must elapse, before this policy can work itself out. It is not twelve months since this change was adopted, and of course men had to adapt themselves to the changed state of things; capital has to be found and set afloat; it has to be turned into new avenues. The worst thing this policy has had to encounter is the unpatriotic conduct of the Opposition from one end of the country to the other, ever since that policy became law, declaring their unceasing hostility to

carrying out the will of the people in this regard. Capital is very sensitive. Men do not like to invest their money in business, which in a short time may be upset or destroyed by an alteration in the commercial system of the country. I do say that, when the country had suffered so long, and then determined to inaugurate this new policy, it should have been the duty of the Opposition, at least, to say: Give it a trial, if for only a certain number of years. Because I know that large numbers of people are deterred from going into business at the present time because it has been laid down in the *Globe*, having a vast influence, that all other differences must be sunk in order to do away with this horrible Tariff. Such a feeling of uncertainty is doing a great injury, and retarding the speedy working out of the effects of this Tariff. But not only Conservatives, but the wise and liberal men among Reformers, are well satisfied with the wisdom of this measure. I can give two instances of this in my own riding, of men who have a Provincial reputation. I venture to say their names are well known to every Ontario member in this House. One of them is Mr. Spaight, a great waggon-maker, who has been Warden of the County of York, and who is a strong Reformer, who opposed me at the late elections. I met him recently, and discussed the National Policy with him. He told me he thought it was a wise and good policy, and was doing the people good and giving the people satisfaction. He was sure it would do more good. No man, I think, has a better opportunity of judging whether the farmers are satisfied with this Tariff than he has. He said he found increased confidence, not only in business, but among farmers. He was satisfied that things would get better. Nothing, I think, conduces more to the well-being of a country than confidence. Another man, perhaps as widely known as he is, Mr. Russell, one of the greatest cattle-breeders in the country, and a strong Reformer who opposed me at my election, came to my office, two or three months ago, and told me he was well satisfied with this Tariff, and he thought that farmers were generally well satisfied with it. I put this question to him, because I knew that it affected him: "How does the duty on corn affect you?"

MR. BOULTBEE.

He replied: Of course it made a trifling difference at first, but he found he could feed his cattle on other articles with equal advantage. These are men well known, of large reputation, of great intelligence, who have travelled about a good deal, and who know the country well, and their opinions, I think, are worth something. I think we may sum up the whole matter by saying that at the last General Election the country was felt to be in a deplorable situation. The late Government refused to do anything by way of legislation to alter it. The people were not satisfied with this. They displaced hon. gentlemen opposite, and returned a strong party against them, out of which the present Government was formed. That Government brought about such legislation as the people desired. They have succeeded in the first year in very nearly balancing our accounts, and in managing our affairs so that a very small deficit exists, and that caused by the action of the late Government. They have made arrangements for carrying out the railway policy with thorough activity. It was conducted, I think no one will deny, by the late Government with a most fatuous imbecility, leaving the line with a link in the centre not begun or contracted for. The present Government have made every arrangement to have that link completed, and they will, I think, have it completed very nearly as soon as the other links begun by the late Government. In addition to this, they are, in carrying out the views of the country, endeavouring to develop our Far West. They have 160 miles of the road west of Winnipeg under contract. They have also made arrangements for further opening up that country of unexampled fertility, which we hear in the present year is to receive so large an emigration. In regard to that, I may say that the leader of the Opposition sneered at the leader of the Government on account of the interview he recently had with the English Premier. He said: I think that, from what fell from Lord Beaconsfield, his ear had been gained by some wandering vagrant. I thought that was not, perhaps, a respectful way of speaking of the leader of the Government. That, however, matters not. All I have to say is that, having English connections myself, and being in correspondence with that

country, I have had many letters from there, stating that there has been more talk about Canada of a favourable character since Sir John A. Macdonald's visit there, and since his interview with Lord Beaconsfield, than there has been for the last twenty years; that the country has grown in favour, and that there is going to be an emigration from England to this country, not of men utterly without means, but of persons more or less possessed of money, which will be of great advantage to the Dominion. That is an advantage which, at any rate, has grown out of the interview between the leader of our Government and Lord Beaconsfield. There is a remark that I meant to have noticed before, that fell from the late Minister of Finance. In discussing this question, he said, in effect, that it was not an advantage to a country that the exports should be larger than the imports. It appears to me that no greater mistake could be made than that. If we can so nourish and cherish our own manufactures that we produce to a large extent what we want, and we can so manufacture that we import say \$50,000,000 in a year, and we are able to export \$60,000,000, it does appear to me that we should have that \$10,000,000 extra to spend amongst ourselves. Hon. gentlemen of the Opposition in discussing this question are very fond of indulging in a spirit of prophecy. When hon. gentlemen are predicting a dark future for this country, when predicting its utter ruin, when showing that we are about to starve to death, that nothing but disgrace will befall us, when they are filling the air with vaticinations so grave, more nearly akin to the melancholic ravings of a diseased imagination than sound prediction, I would venture to offer my divination against them, and say that I believe that this policy, if persevered in, instead of the hon. the Minister of Finance leaving his memory covered with execration, in the future it will be embalmed in the memory of a grateful people when the names of his detractors are forgotten. I would say this, Sir, that, if we are to make Canada a country for ourselves, if we are to build up this great Confederation into the nation it deserves to be, rich as it is, with every element of material wealth, peopled with a people at least as intelligent as any on the face of the earth,



gifted with no ordinary degree of energy and determination—if, Sir, we are to achieve this result, we must do it by patriotic feelings. There must be a sinking of miserable party and provincial distinctions and differences. There must be a little giving way of one to another, because, in a community like this, just as in a family of individuals, there must be mutual concessions to produce mutual happiness and prosperity. The vote in support of these resolutions was one of the most remarkable votes that ever took place in the history of nations. In this Chamber we had a large number of men supporting the Government on its general policy, but, with their diverse interests tearing them apart in various ways, they fought and contended for their various interests, day after day, as the discussion took place, and tried to get this and that advantage for the various communities to which they belonged, and, after having tried by every legitimate means to put the nation in the best shape they could, they were satisfied to vote as one man, and give effect to a Tariff prepared for the good of the whole. I would say that he is no good friend to his country who is continually going about hoping to reap some petty advantage by stirring up one Province against another. We cannot have such a Confederation as we ought to have if the Maritime Provinces will not give way a little to Ontario and Quebec. Ontario and Quebec must also give way to the Maritime Provinces. There must be mutual concession. There must be a general desire to get rid of little difficulties in order to work out a scheme like this, because it is a grand scheme, and one that deserves not only the worthy consideration of this House, but of the whole country. I believe it is now being welded together so as to make a Confederation of which we can all be proud. Let us, as far as we can, for the purpose of building up a great nation here in this western world, sink all little personal differences, and all unite for our common country.

Mr. WALLACE (West York): The hon. member for South Huron (Mr. Cameron) stated in the course of his remarks that every prediction the Opposition had made last year, with reference to the National Policy, had been verified. Well, one of their predictions

was that the flour mills, oatmeal mills, and mining and lumber industries would have to shut down. I should like that hon. gentleman to name the first one of these that has shut down on account of the new Tariff during the past year.

An Hon. MEMBER: The soup kitchen has been shut down.

Mr. WALLACE: Yes, the soup kitchens appear to be the only industries that have gone out of business, and they were almost the only new industries inaugurated during the Reform Administration. The hon. gentleman also said that the increased cost of manufacturing salt would crush this industry out of existence, and that the cost would be increased 10c. per barrel. The fact, however, is that, in Goderich, the headquarters of salt manufactured in Canada, salt is 5c. per barrel cheaper than before. He also stated that, in consequence of the increased price of coal, railroad freights would have to be raised to a very considerable extent. What do we find in that respect? At the present time we are having our salt conveyed from Goderich to points in the county of York for 12c. a barrel less than a year ago. Hon. gentlemen opposite, and especially the hon. member for Lambton (Mr. Mackenzie), predicted that the prices of agricultural implements were to be raised very much. He said last year, as reported on page 1075 of *Debates*, 1879:

“That it is impossible for the implement makers to sell their products to the farmers at the rate they are now selling them at. The result will be an inevitable increase in the range of prices to everyone who has to purchase.”

In contradistinction to that, I would like to read letters I have received from leading manufacturers in the county of York. Mr. John Abell, one of the largest manufacturers of agricultural implements in the Dominion, writes as follows:—

“I have not advanced the price of any article I am manufacturing since the National Policy came into force, neither do I think there will be any advance, notwithstanding the great advance in prices of pig and bar iron.”

Another gentleman of the same county, who is one of the largest manufacturers of implements, writes as follows:—

“The great benefit we, in common with other manufacturers of agricultural implements, derive is, that the policy of Protection gives us

the North-West for the sale of our products. Manitoba and the North-West open up an almost illimitable field for our manufactures and I am satisfied it will make Ontario one great hive of busy workers. With Protection, the field is ours, without it, Brother Jonathan's, because of his contiguity. Does the Manitoba farmer pay more than he did under the 17½ per cent. Tariff? No, our goods are now sold to the Manitoba farmer at about 10 per cent. less than under the old Tariff. You can readily understand that, if we make and sell a large quantity, we can sell cheaper than if but few are made."

Here is another gentleman, residing in the West Riding of York, also a large manufacturer. He says:

"With the machinery we have coming across the Atlantic, our mill for making cloth will be double what it was on 14th March, 1879. If it had not been for the Tariff we should have had to shut up, because the limited sales we could make would never have allowed us to reduce the cost of production. Though we are now paying higher wages than a year ago, by manufacturing very large quantities we are enabled to sell cloth at lower rates, and the wholesale dealers tell me that our goods last year were cheaper and better value than they could import under the old Tariff. But nothing but the Tariff could have enabled us to make them cheaper."

These are the opinions of gentlemen who are large employers of labour, and whose opinions are worthy of consideration. But we have been told by hon. gentlemen, time and again, that everything is going to the dogs, and that the country will be ruined. While the hon. member for West Middlesex (Mr. Ross) was speaking, he recalled to my memory the following item, which appeared in the city papers the same evening:—

"The contractors on the Welland Canal have raised the wages of labourers on the Canal from one dollar to one dollar and twelve and a-half cents per day."

I would like to ask these hon. gentlemen if any little items of that kind were published during the period they administered the affairs of the country. The changes were always the other way. We read of wages reduced, time shortened, and a great number thrown out of employment. I have a little more evidence to submit from the *Toronto Globe*. In the *Toronto Globe* of January 2nd, 1880, I find the following, specially reported for the *Globe* by its Montreal correspondent:—

"From visits to our principal firms in the different branches of the wholesale trade and manufactures, your reporter learned that the

business transacted during the past six months has been largely in excess of any year since 1873. \* \* \* The outlook for the spring trade is most encouraging. Already orders are pouring in, which augurs a more extensive business than even the late improvement warranted the most sanguine in expecting. Local manufacturers of cottons, woollens, and other fabrics, as well as iron-founders, are kept very busy, and, in not a few instances, they are obliged to work overtime to meet the constantly increasing demand. The Hochelaga cotton mill, for instance, which has lately added a new wing, gives employment to four hundred additional hands, and is so pressed with orders that it is running up to nine o'clock at night, without being able to supply the orders. In the other branches of trade it is the same gratifying story. The effect of this state of things is apparent in the improved condition of the working classes. At no similar period of the season for several years past have there been so few destitute and idle people in our midst."

I think that is a full answer to the charges made against the National Policy, to the effect that employment is not to be had for the labouring classes.

AN HON. MEMBER: What paper?

MR. WALLACE: The *Toronto Globe*. This same paper goes on to say:

"The railway and shipping interests connected with the city have never been so prosperous as during the past year. The increase in freights has been enormous. The Grand Trunk alone during the past six months, shows an increase of over \$400,000 in excess of the same period of 1878."

AN HON. MEMBER: What paper?

MR. WALLACE: The *Globe*. This proves that the country is gaining confidence in the future of the Dominion. They are not afraid to invest and help it along. Further on the same paper says:

"The leather trade is buoyant. During the past week a city firm exported to England 10,000 sides of Buffalo sole. This makes 60,000 sides of sole shipped to England during the last three months, reducing the stock here to a very low ebb."

Gentlemen on the opposite side of the House say that prices have gone up under the pressure of the present Tariff. They say that the price of nails has increased; that is true, but it is a fact that the price of nails under the National Policy was at a very low figure. Nails were sold last summer at \$2.75 per keg. That is the lowest figure that has been reached for twenty years. The price up to the time of the inauguration of the new Tariff was \$3 for nails, and in the United States they have now reached a price \$1.55 higher than they are here. Under the

Protection laws, the prices are less in Canada than in England or the United States. We have also been told about sugar. I say that sugar is cheaper than it has been for a dozen years.

Some HON. MEMBERS: Oh, no.

MR. WALLACE: Oh, but yes. The price of raw sugar of a fine quality during July and August last was 6½c. per pound. There is a misconception on this sugar question. Some people imagine that raw sugars are not fit for common use until they have gone through a refinery, but there are some raw sugars that are as white as this paper, and have been selling at 6½c. per pound. In Toronto, sugar has not been sold so cheap and of so good a quality for many years for that price. The hon. gentlemen opposite say that tea has increased in price. Well, it has increased somewhat during last fall, but it was not increased in Canada but to a very slight extent, though it had doubled in price in China. The increase in the price of teas, therefore, is not attributable to the National Policy. It is said that the price of cottons is raised. We have a better quality of cotton goods sold in Canada, and we find that the price is about the same as before. The price of raw cotton is increased from 8½c. to 12c. or 14c. It has increased about 50 per cent., but the price of cotton goods has increased little or none, although the quality is much better. This calls my attention to another statement made by the hon. member for North Oxford (Mr. Oliver). I believe he said the people were dissatisfied, and had been misled by what they had been told in 1878. In reference to misleading the people, it may be well to refer to the remarks of the Hon. Mr. Mackenzie, made to the people of Toronto, in May, 1878, on the National Policy. He said:

"In 1876, the entire production of the iron manufactures of the United States was, as nearly as may be, \$100,000,000. The total exports of that production amounted to only \$688,612 or eleven-sixteenths of one per cent. of the entire produce of their manufactures."

That is, that they produced \$100,000,000 of iron manufactures and exported less than \$1,000,000 worth. He tried to show that they might supply their own country under a Protective policy, but they could not export any. I will quote from statistics. The annual Report of

the Chief of the Bureau of Statistics on the Commerce and Navigation of the United States, for the same year that Mr. Mackenzie referred to, that is, 1876, shows that during that year the exports of iron and manufactures of iron were \$8,837,894, and he told the people then, and published it through the country, that the exports were only \$688,000. That means that twelve times as much as that which the hon. gentleman had led the people to believe was exported. After that, will the hon. gentleman say who were the men to mislead the country previous to the elections of 1878. I would like to ask if that was not misleading the people. Another great gain to the country from the National Policy is in the increased prices the farmers have obtained for their agricultural productions, by which they are enabled to pay their workmen better wages and give them more employment, while they might otherwise have had to keep them idle. We find the prices in Toronto as follows:—

	2nd January, 1879.	1st April, 1879.	1st January, 1880.
Flour—Superior extra.....	\$4.00 to \$4.10	\$4.40 to \$4.50	\$5.90 to \$6.00
Fall wheat.....	93 to 95	1.03 to 1.04	1.30 to 1.32
Oats.....	25 to 28	34 to 00	35 to 37
Dressed hogs..	3.50 to 4.00	5.00 to 5.75	6.10 to 0.00

Showing a healthy upward tendency during the time the new Tariff has been in force. Another great benefit from the National Policy is this: that the Provinces can supply one another with their products. I have referred to the statement brought down by the hon. the Minister of Customs, showing the amount of grain imported for home consumption from 15th March to 31st December, 1879, and also a similar statement for the eight and one-half months before the policy came into force, namely, from 1st July, 1878, to 15th March, 1879. The result is as follows: The total grain imported for home consumption was 881,466 bushels, valued at \$379,014, for the last nine and one-half months, that is, the period between 15th March and 31st December, 1879; while, in the period of eight and one-half months preceding the going into force of the National Policy, the total grain entered for home consumption was 12,255,849 bushels, valued at \$7,003,680. These

figures show fourteen times as much grain entered in the period of eight and one-half months under the old Tariff, and at a value of nearly twenty times as much as is now imported in the first eight and one-half months under the new Tariff, for home consumption. The number of barrels of flour imported for consumption for a similar period, under the old Tariff, was 468,000 barrels, and, under the new Tariff, for a like period, for home consumption, was 63,341 barrels. This shows that the farmers of Ontario and the other Provinces are reaping great benefits from this new Tariff, by supplying local wants from the home markets. But the great benefit to the Dominion is the substantial union of the Provinces. For thirteen years that union has been, in a great degree, merely a union on paper. There has been no real bond of union between them. If we continue the present policy we will have a more binding and cementing Union of the Provinces than by any other means. I do not intend to detain the House any longer, and, in conclusion, I have to express the hope that this Policy will in the future, as in the past, be a great benefit to the whole Dominion.

MR. ARKELL : It is not my intention to take up the time of the House longer than a few moments. I think the discussion on this policy is premature. In about two years from this time, we shall be able to judge as to the value of that policy. I think, if it be given two years trial, we shall find that the gentlemen opposite will not be so ready to get up and speak in opposition to it. I intend to speak only of what I know something about. The hon. member for North Oxford (Mr. Oliver) said there had been no advance on grain in Canada other than wheat, and that had been caused by the failure of the crops in England. If he came into my riding and made such a statement, he would get laughed at. I know that, previous to this Tariff coming into force, the farmers of East Elgin were receiving from 45c. to 50c. per bushel for corn, while under the new Tariff they have been readily receiving 60c. per bushel. The same thing is to be found with regard to oats, which, under the new Tariff, have advanced 10c., a rise just equal to the amount of duty put on. In speaking about wheat,

I think the policy of the Government is not quite right in that direction. Under that policy, it is well known that our best wheat is shipped to England. This is a great injustice to this country—giving to our own people an inferior description of flour produced from inferior western wheat. But, if the policy of the Government in this respect be changed, I am satisfied that the Tariff will in every other respect, as in this, give satisfaction to all the Provinces of the Dominion. The hon. member for North Oxford, (Mr. Oliver) says there has been no advance in the value of stock. I see by a St. Thomas paper of yesterday that two parties engaged in buying and selling stock, had purchased 750 head for the English market, at the sum of \$60 per head, and I came to the conclusion that the prices must have been satisfactory to the farmers who sold them. Speaking about manufactures, the member for West Middlesex (Mr. Ross) said the only benefit that had been derived from the National Policy was obtained by manufacturers. Well, it is a very good thing that we can get that admission. It is a good thing to find that it is a benefit to someone. In my own town of St. Thomas there are not many manufacturers, but under this policy I think we will keep growing in that direction. There is one firm engaged in the manufacture of threshing machines, and all kinds of farming implements. This firm is composed of two staunch Reformers, men who never voted the Conservative ticket. I allude to the firm of Haggart and Cochrane. Last December, Mr. Cochrane went to see what kind of a country Manitoba was. When he came back, he reported to his friends that he had arrived at the conclusion that it would prove the garden of this Dominion. Speaking of his own particular line of business, he said that under the old Tariff it was impossible to send a threshing machine or other agricultural implement from Ontario to Manitoba, because the market was completely drugged with those articles from the United States. But, under the present Tariff, he stated he could ship his machines into that Province and undersell Americans. I am satisfied that that gentleman will never give a vote adverse to the National Policy. I am not pre-

pared to say that the firm will vote the pure Conservative ticket in future, but it is certain they are satisfied with the policy of the present Administration. The hon. member for South Huron (Mr. Cameron) stated that property had depreciated in value 50 per cent. Well, I do not know how real estate is in his part of the country, but I am not aware of any decline in value in the county of Elgin. Farms are worth just as much there as ever they were, and farmers are more anxious to keep them than they were formerly. With regard to empty houses in cities and towns referred to by hon. gentlemen opposite, I may mention that there are no houses to be had in St. Thomas. We are creating every season from 100 to 120 houses, and there is still a great demand for dwellings. If we build at that rate for ten or twelve years to come, I am satisfied that we can find occupants for them. Now, the question of the balance of trade has been referred to. Hon. gentlemen opposite have argued that the balance of trade in favour of a country is no indication of its prosperity. If that is the case, I think the United States must be getting very poor indeed, for last year they had the balance of trade in their favour nearly to the amount of \$300,000,000. My own impression is that just as soon as the balance of trade turns in our favour—and I see plainly that it is coming round—there is no doubt it will keep increasing to a large amount, and the country will prosper proportionately. I will close my remarks by stating that the people of my county are perfectly well satisfied with the Tariff. They are satisfied that the hon. the Finance Minister will from time to time make any changes that may be necessary. We must all understand that changes may be required in order to make the Tariff work in a harmonious manner. I think we have the right man at the head of the financial affairs of the country, and I have no doubt but that everything he does in regard to Tariff arrangements will be for the best interests of Canada.

MR. PATERSON (South Brant): As members of the Opposition we have a duty to perform in this House, and in the endeavour to perform that duty it seems that members of the Opposition who have given utterance to their thoughts have

given dissatisfaction to some of the Ministerial supporters, if not to the Ministers themselves. But hon. gentlemen should possess themselves in patience. They must know that an Opposition in criticising Government measures must criticise them in the direction which to them appears right and proper, and they must expect that the views that are enunciated, the statements that are made, will not be such, perhaps, as they would desire to listen to. But it is the glory of our institutions, Sir, that we have under them free speech and free expression of thought; that we not only have liberty to think as we choose, but liberty to give expression to our thoughts, always remembering to express them in such a manner as becomes gentlemen. I desire to offer a few remarks to-night with reference to the subject before the House, and which has been before it for the past few days, and in doing so I will endeavour to speak without any acidity of temper; I will endeavour, as far as I am able, to let any statements that I may give utterance to be words of truth and soberness. Though my views may not be the views of the hon. gentlemen opposite, it is possible, perhaps, that they may be enabled to see that there is a standpoint at least from which parties standing here see things in a different light to that in which they are viewed by hon. gentlemen opposite. It will be necessary, perhaps, just to glance at the history of this country for a year or two in order to rightly understand where we have arrived, and why we are discussing this question at the length we are doing. It will be in your recollection, Mr. Speaker, as it is in my own, and in the recollection of other hon. members of the House, that two years ago another Administration occupied the Treasury Benches. It will be remembered that shortly after that period an election had to be held. The people were to be appealed to. The people were to say who should be their rulers and administrators during the ensuing term of the ordinary life of a Parliament. As usual on such occasions, the Ministry of the day and their supporters, who had confidence in them, appealed to the country for a continuance of its confidence on the ground that their affairs had been managed economically, wisely and well. Gentlemen who opposed that Administration

many of whom now constitute the supporters of the present Government, took the ground that there had been incapacity, that there had been extravagance, that there had been inability, that, in point of fact, there had been corruption on the part of the Ministers, and, of necessity, corruption on the part of those who supported them; and the cry of the then Opposition, and now Ministerial party, was that Mackenzie's Administration must be deposed from power chiefly because they were incapable and extravagant—because they had plunged the country into distress and could see no way of extricating it. Taking advantage of a state of things that existed at that time—a state of depression in the country—they were enabled to make an impression on the minds of some of the people of the country. Not a very strong, great or wide impression was made, but an impression was made on a certain number of minds in a great number of different constituencies that was sufficient in its effect to hand over those constituencies from supporters of the late Administration to hon. gentlemen who now support the Government. How was it done? One of the factors was the denunciations hurled against the Mackenzie Administration because of their reckless extravagance. That cry sounded from every platform throughout the length and the breadth of the country. It was stated that the financial management of the late Administration was such as would lead to national bankruptcy in a few years; that excessive expenditures had crept into every branch of Civil Government, and that it was necessary to apply the pruning knife, sharply, quickly and deeply; and the cry was: Give to us the reins of power—reinstatement the Conservative party. True, the people had little to hope for from the history of that party, but they were led away by the cries of those hon. gentlemen, and said: We will give them a trial. Well, the trial has been given, and now, after nearly two years' administration by the Conservative party, we are in a position to-night to compare notes, to speak with more accuracy than we were able to do a year ago, because a year ago there was a great deal of prophesying, a great deal of forecasting of what was to be. I do not say it was confined to one side, but was

common to both sides of the House. But to-night we are in possession of certain facts, certain official figures—figures that may be distorted, but figures that are before the public and that the public can understand, figures that will not lie; and in the light of those figures, as well as in the light of past figures, I ask hon. members, I ask you, Mr. Speaker, I ask the people of this country to judge whether the men who occupy the Treasury Benches have fulfilled, in the direction of economy, the pledges they gave to the country. And I ask the hon. gentlemen at their backs, if they still remember the pledges they gave to their constituents to the effect that, if the Conservative Government increased the public expenditure instead of reducing it, they would turn round and help to put them out of power. I see hon. members before me, whose names I could mention, who gave such promises.

MR. ROCHESTER: Name them.

MR. PATERSON: It is unnecessary to name them. I dare say the hon. member for Carleton (Mr. Rochester) would have taken the same tack if he represented a western county where the Grit element, as it is called, is strong. The hon. gentleman anticipates my argument, and admits by his interruption that he is cognizant of such pledges having been made. What is the record? The record is what might have been expected from the past history of those hon. gentlemen. The same hon. gentlemen who comprise the Administration now were in power seven years before. The people of the country are therefore familiar with their record. During the seven years of their former Administration, the expenditure was swollen from \$13,000,000 to \$23,000,000; the controllable expenditure was increased from \$3,000,000 to over \$8,000,000. That was their record. Five years of the Mackenzie Administration succeeded, and how stood the record? Giving the year 1879—for I am willing to assume full responsibility for that, since I charged the hon. gentlemen opposite with full responsibility for 1874—was there an increase of \$10,000,000, such as the previous Government made? No; the increase was very little over \$1,000,000. Take the ordinary controllable expenditure, and how did the Mackenzie Government stand? At the end of the five years,

instead of having an increase of \$5,000,000, it had decreased \$1,300,000. Then we come to the present record of those gentlemen who are again on the political field, and masters of the situation, who sit in Parliament with a vast majority of intelligent men behind them, men who have a stake at interest in the country, men who, if it were not for party pledges, would openly confess that the promises made before the elections have not been fulfilled, and would be ready to admit that the people had been promised what the Government were unable to perform. The Estimates for the ensuing year are before us. Is any economy visible therein? Is there a curtailment of the amount of the people's money demanded to carry on the Government? From these Estimates I have ascertained the fact that, in the first Estimates before, the Supplementary Estimates are brought down, \$25,007,000 are asked for—\$1,000,000 more than the Mackenzie Government demanded. I ask them what they want this extra \$1,000,000 for. They told us they would manage things more economically. Why is this? Is it because some sudden calamity has overtaken the country, or on account of some special vote that was unforeseen? No, Sir. There is an increase in almost every item—an increase in every controllable item. There is an increase of \$42,570 for Civil Government. That is in the Departments presided over by those gentlemen, who said: Give us the reins of Government, and we will cut down the expenses; who denounced the extravagance of Mr. Mackenzie and his colleagues. I come to Immigration and Quarantine, an expenditure which was sharply criticised by the hon. the Minister of Agriculture, when he was on the Opposition side of the House. They ask for \$14,400 more for that Department. Then there is the item of Pensions and Superannuation, a matter that hon. gentleman opposite waxed eloquent over when they were before the people—this Superannuation and Pension fund that was draining the life-blood of the people to give to a lot of men that ought to provide for their own future. Oh, the denunciations we listened to in respect to that fund. But \$14,871 is asked for on that account. How stand the Estimates in regard to Public Works and Buildings chargeable to income, that

were managed so recklessly by the Mackenzie Administration, according to the statements of the present Minister, who assumed in days gone by, as I dare say he would have the hardihood to assume now, he is so much more competent? Where is the economy when \$112,000 more is asked than was asked by his predecessor? Take Railways and Canals, chargeable to income, and you find that \$48,000 extra is asked for. Take Customs, upon which the hon. gentlemen opposite were so eloquent in the time of the late Government, as they pictured the officials sitting in the offices with nothing to do, and how stands the requirement for that Department?—\$7,496 more are required for that than the Mackenzie Administration asked in their highest year. Take the Department of Excise, that was to be managed so economically; \$1,351 extra is demanded. Take the Post Office, that was such a fruitful theme for declamation on the part of hon. gentlemen opposite, what are its requirements?—\$90,000 in excess of the Estimates of last year. I said I would run through the whole list, but why need I go into detail, when you have the fact before you in the Estimates, that in the first requirements laid before you on the Table, to be supplemented by further requirements, \$1,000,000 more is asked than was demanded by the late Administration. That is the record of the present Government for the first year of their financial management, and the result they cannot deny. They stand in the position of men who have promised what they have not fulfilled—what it was not in their power to fulfil—of men who have deceived the people, having given estimates of public expenditure they could not carry out. Another charge made against the late Administration was that it was continually rolling up deficits threatening to engulf in ruin the country. There were deficits under the Mackenzie Administration, no doubt. For four years there were deficits, and one year had a surplus. The total of the deficits was \$5,491,314. The hon. the Minister of Railways, in his remarkable speech, which was so thoroughly dissected this afternoon, and in which so many Tupperisms were discovered by the hon. member for South Huron (Mr. Cameron), stated that those deficits reached \$8,116,968, showing the slight inaccuracy, the simple imagin-

ative stretch of \$2 695,201, or a discount of 47½ per cent. There is no use in our dealing in figures not in consonance with the truth, when everyone can look at the public records. If we deduct the sinking fund, the money laid by for the reduction of the Public Debt, the nett deficit would be reduced to \$1,306,000—not a very serious matter indeed. With that fact staring us in the face, we find the hon. the Minister of Railways magnifying the deficits by 47½ per cent., thinking, by mere assertion and force of character, to make people believe the amount was \$8,000,000. The speech of that hon. gentleman was as full of inaccuracies as was possible even to its author. Read it through and through, and you will be amazed and astonished at its expressions and sentiments. When the facts seemed to come in the hon. gentleman's way, and the figures were against him; when the plain unanswerable statements of the late Finance Minister stood out before him; how were they met? By volleys of abuse. When he stated the correct total of the deficits, the present Minister of Railways could not disprove it, but could hurl the taunt that that hon. gentleman was the king of deficits. When the late Finance Minister made statements about this Tariff that could not be controverted, the hon. the Minister of Railways thought he found an effective retort in the remark that my hon. friend's head was impenetrable. When the hon. member for Cumberland (Sir Charles Tupper) was met by statements he could not otherwise controvert, he replied that the late Administration and their friends belonged, or ought to belong, to animals of the long-eared family. The figures of the late Finance Minister, however, cannot be controverted. No wonder that the hon. the Minister of Railways was so plainly found trying to turn the attention of the House from matters of fact to matters of fiction, when he discovered the facts so strong against himself. But my hon. friend will not forget that, in this House and country, there is no room for gentlemen of reputation like himself, to risk reputation by departing from statements of fact to indulge in fictitious assertions, such as may be in favour with the hon. member for Cumberland and other hon. gentlemen opposite One

copy of "Tupper's Proverbial Nonsense" in the country is enough. If any gentleman prefers to give free rein to his imagination—to talk of hundreds of thousands of tons of shipping, that all vanish into thin air; to indulge in the unreal, fanciful and romantic; let that hon. Minister retain the monopoly. I am sure the late Finance Minister will shun that rôle. But I will now deal with the Tariff question, after noticing the remark of the hon. the Minister of Railways that the hon. member for South Huron had, in the matter of coal, misrepresented him—that he spoke of the output of the Dominion, not of the product of Nova Scotia alone. The hon. gentleman's statement was made in discussing the question from a Nova Scotia point of view, when, in all fairness, he urged that the statement applied to the Nova Scotia mines and none other. He asked: Does not the hon. gentleman (Sir Richard J. Cartwright) know that in St. John the price of coal has been lowered? How? said that hon. gentleman, if the hon. gentleman has not mastered that, he has not mastered the first principles of that question; does he not know that 100,000 more tons of coal produced would enable the coal to be sold lower? I ask if that had not direct reference to the Nova Scotia coal mines? Will even he, with all his effrontery, dare to say that any British Columbia coal finds its way into St. John? The connection in which his argument stands proves that it applies alone to the output of coal in Nova Scotia. Finding that a gentleman, fortified with official facts and figures, was on his track, he attempted to shelter himself behind the subterfuge that he had not been speaking in reference to the mines of Nova Scotia, but of those of Canada, including British Columbia. Another factor brought into operation to secure their late success was the cry that Protection was needed; that great stagnation in our industries prevailed; that the amount of depression was simply deplorable, etc. The hon. member for Cumberland pictured the gaunt spectres of despair that wandered up and down the country, the people suffering from want and famine; the children, with hungry eyes and shrunken features, looking to helpless mothers for food, and he next assailed Messrs. Mackenzie and Cartwright, who so lamentably conducted the



affairs of the country. Yet hon. gentlemen opposite now talk of our want of patriotism, as they point to the present condition of the country; they say that for five years we destroyed it, while they have endeavoured to teach the people that their success and prosperity depended upon legislative enactments and them alone. Those hon. gentlemen must not find fault when, taking up their own theory, their weapons are turned against them. The people are asked to judge by the results to our trade of the new policy, by its success in the improvement of the country, whether those gentlemen have, in their position as Ministers, achieved the success they boasted they were capable of bringing about. It has been stated here to-day, as often elsewhere, that it was futile and useless to condemn the Finance Minister and his colleagues and supporters for the Tariff, because the people had demanded it. I denied that statement last year, and deny it again. The people did not know what the National Policy was; they asked those hon. gentlemen, through their representatives, during the late Administration, to tell them what that policy was, when their present leader replied it was not the duty of the Opposition to formulate a policy, adding: We shall not tell until we get into office, when we can ascertain the wants and requirements of the people; but we tell you we will put in force a policy that will give steady work to the idle; higher prices to every farmer for all he has to sell; will dot your rivers and streams with magnificent erections for manufacturing; we will give a startling impetus to the prosperity of the lumber interest; we will cause comfort and prosperity to be greatly magnified by this wonderful remedy; shoals of fish in our waters will be vastly increased; our shipping will be doubled, and, where there is now wailing and distress, all will be joy. As the hon. member for Cumberland said: "The wilderness that the late Administration made this country, shall again blossom as the rose." We must enquire how far these cloudy predictions have been fulfilled. We have to see, not simply whether the taxes have been heaped up by this National Policy, as they have, but whether hon. gentlemen opposite have given us, with that, the promised prosperity. Have the predic-

tions of the hon. the Finance Minister, judging from the official figures he has given us, been verified? I candidly admit he was not alone, last year, in forecasting the future. The leader of the Opposition did so, too; but to-night we have to determine who was the keenest in vision, which of them most fully realised the probable operation of the policy of the hon. the Finance Minister. At this point I must notice one of his statements—that the Tariff was not framed as against Great Britain and in favour of the United States. The late Finance Minister and late Minister of Customs (Mr. Burpee) asserted last year that the Tariff discriminated against the manufactures of Great Britain and in favour of the United States; and, while I took the same view, I was not one of those who attached so very much importance to the fact that it bore against Great Britain. I think we have a right to frame a Tariff against that country if we see fit. But our contention was that, borrowing as we do in the Old Country for our public works; having been met so generously, and having received so long the protection of the British flag; claiming as we do to form an integral portion of the Empire, we held that, while we did levy taxes, it was the duty of the hon. the Finance Minister to see at any rate that the Tariff did not discriminate against that country, and in favour of a foreign country. I credit him with not desiring to do so; I believe he desired to avoid it in framing his Tariff, and I ask him to discuss the point—to take the turns of the imports from the United States, Great Britain, and the other countries, and examine in their light the operation of his Tariff. What do we find? We find in the six months' return, ending in December, 1878, as compared with December, 1879, the following figures: At the end of December 1878, under the Mackenzie Administration, there was imported from Great Britain of dutiable goods \$14,481,676, on which there was a duty collected of \$2,835,387, or an average duty of 20 per cent. From the United States there was imported \$11,748,796, on which there was a duty collected of \$2,624,284, or an average duty of 22½ per cent. Now, we come to consider the effects of the Tariff under the present Administration. We find that from Great Britain there was imported

\$12,183,666, duty collected, \$304,487, or an average duty of 25 per cent. From the United States there was \$9,560,637, and a duty collected of \$2,247,436, or an average duty of 24 per cent. The hon. the Finance Minister then failed in properly forecasting the effects of his Tariff. The late Finance Minister was perfectly accurate in forecasting it, as is proved to a demonstration by the figures laid upon the Table of the House. Under the Cartwright Tariff, I repeat, the dutiable goods from the United States were charged  $2\frac{1}{2}$  per cent. more than the goods from Great Britain, while, under the Tilley Tariff, goods from Great Britain are charged 1 per cent. more than those from the United States, making  $3\frac{1}{2}$  per cent. difference in the Tariffs of the two Administrations.

SIR SAMUEL L. TILLEY: What about free and dutiable goods together?

MR. PATERSON: I quite understand how the hon. the Finance Minister arrived at the conclusion he did when he made his statement to the House the other night. But I would have thought that the hon. the Finance Minister, having endeavoured in that sly way to gain his point, would have hesitated before openly risking his reputation by calling attention publicly to the fact that in estimating the operations of his Tariff he was forced to the subterfuge of combining the free with the dutiable goods. Let me through you, Mr. Speaker, ask that hon. gentleman a question. In those free goods from the United States what do you find? You find free breadstuffs. Is there a British farmer that will complain to the hon. the Finance Minister if he puts \$10 on every bushel of grain that comes into this country? What do they care for that? How are they interested in the free goods? The only question that affects them is the one in which they themselves are interested. No breadstuffs, no grain, ever comes from England here. The only goods in which they are interested are the dutiable goods, the manufactured goods, the only goods they can send off, the only goods in which they compete with the States for our trade. I am glad the hon. the Finance Minister has confessed openly that he was forced, in order to show a balance of trade in favour of Great Britain as against the United States, to link in \$14,000,000 of free

goods, mostly breadstuffs, of which the British public do not send one cent's worth into this country. I defy the hon. gentleman to contradict it. I defy the hon. member for Cumberland (Sir Charles Tupper) to controvert the fact that, from the figures he has furnished himself, on the goods in which Great Britain is interested, there is  $3\frac{1}{2}$  per cent. more levied against them than against the United States;  $2\frac{1}{2}$  per cent. directly placed against them by that hon. gentleman as against 1 per cent. in their favour under the Mackenzie Administration. Now, I would ask the hon. gentleman's attention to another fact. It was claimed that in the introduction of this Tariff, we were to have a scientific Tariff, that the Cartwright Tariff was not prepared upon anything like scientific principles at all. But the hon. the Minister of Finance did not assume that lofty tone that was assumed by the hon. the Minister of Railways, in regard to the late Finance Minister, that he was an utterly incapable man, that he was perfectly paralysed, that he had no idea of figures, or how the operation of duties would affect the prosperity of the country. Those hon. gentlemen wanted a Tariff that would shut out all foreign goods imported into this country, and yet give just as much revenue as it did before. They were going to produce all the goods that were used in the country without levying any internal tax, and raise all the money required by some wonderful means, of which they professed to possess the secret; the wonderful device being to fill our Treasury out of the pockets of the Yankees. That was to be their scheme, and, when we look at it in detail to see what this wonderful, scientific Tariff was, we find it in the one that was presented to us last year: a Tariff that was launched as the acme of perfection last year; and now, when it is amended in a hundred points this year, the amendments are still introduced as the everything that was wanted to make it perfect and complete. I dare say, as the hon. member for Centre Huron (Sir Richard J. Cartwright) said, "that every year this Tariff will have to be tinkered." The late Finance Minister must not be sarcastic. The charge against him was that he was a "fly-on-the-wheel," and those hon. gentlemen, to show that they are

not "flies-on-the-wheel," will keep adding a little more every year to their Tariff. Now, let us look into the operations of this Tariff, and I would ask the hon. the Finance Minister, if he thinks it worth his while, to follow me in my calculations, and, if I am not correct, let him set me right. It is a very important calculation. It is taken from the figures furnished us in the comparative statement of the value of goods that were imported for the six months ending December 31st, 1878, and for the six months ending December 31st, 1879. It is one of those returns that are so valuable to the Opposition at this moment, for I have not seen a comparative statement brought down by the Orders of the House that has not told strongly against the hon. gentlemen that have been forced to bring it down. In the six months of the Cartwright Tariff ending December 31, 1878, there was imported of dutiable goods \$28,472,595, and there was collected on them a duty of \$6,320,862. There was an average duty levied upon them, in order to secure that amount of revenue, of 22¼ per cent. Under the operation of the present Finance Minister's Tariff, for a like period of six months, we find this result: Importation of dutiable goods, \$24,845,742, with a revenue derived from them of \$6,678,191, or an average duty of 26¾ per cent. I am now coming to the scientific point. There is this difference of 4½ per cent. in the burdens that have been placed upon the people of this country. But what I want to call the attention of the House to is this fact, that 4½ per cent. additional burden laid upon the people under the Cartwright Tariff, instead of under the scientific Tariff of the hon. gentlemen opposite, would have produced—what result? Why, that 4½ per cent. on the importations under the Cartwright Tariff would have given for that half year \$1,281,266 more revenue. But, in one year, the rate of duty levied by that hon. gentleman opposite—the 26¾ per cent. he has charged on every dollar of dutiable goods that the people of this country consume—if levied, not under his scientific Tariff, but under the Tariff as arranged by the late Finance Minister, would have given more revenue than he gets to-day by \$2,562,532. The same rate of duty would have given that much more. Now, where is the science? The point

MR. PATERSON.

where the hon. gentleman thinks he has got me is this. He will say: There have not been as many goods imported this year as under the Cartwright Tariff, and I grant that, but is not that one of the effects the hon. gentleman promised by his Tariff, that it would decrease the importation of these goods? But under the classification of the goods as made by the late Finance Minister, if it had been necessary to increase the average rate by 4½ per cent. in order to increase the revenue, he would not have stopped the importation of goods into the country; they would have come in as they did before, and, that being the case, we would have had, under the Cartwright Tariff, without any more taxation than we now have, two millions and a half more revenue instead of having, as the hon. gentlemen opposite have, a deficit of from one and a-half to two million dollars. But I have not pointed out all the merits of those hon. gentlemen's Tariff yet. It is an important fact that under the Cartwright Tariff we would have had two millions and a-half more money without any increase in the burdens on the people, and we would have had, in addition, free coal, free flour, free breadstuffs of all kinds, sugar for 1c. a pound less and tea for 10 per cent. less. And yet those hon. gentlemen talk to you about a scientific Tariff, so arranged that a tax of 4¾ per cent. additional means \$2,500,000 less of revenue, besides taxing the prime necessaries of life in fuel and food. The statement is there; the hon. gentleman can see for himself the proof of my reasoning. Perhaps he will be able to controvert it. The only argument he can advance is that, if the late Administration had increased the rate of duty by 4½ per cent., there would not have been so many goods brought into the country. Sir, there would have been. The importation of goods has not been stopped by the 4½ per cent. added by that hon. gentleman under his Tariff. The late Administration might have put on 4½ per cent. more, and the imports would not have been diminished. They have every reason to believe the importation would have gone on, and they would have had two and a-half millions more in the Treasury, and, as I stated, free coal, free breadstuffs, and 1c. a pound less on sugar. The hon. gentleman can

determine it for himself. In the matter of sugar alone, under the operations of the scientific Tariff of the hon. gentleman—and here again I speak from official figures furnished by the hon. gentleman himself—10,000,000lb. more of sugar have been imported during the last six months than were imported during the last six months of the Mackenzie Administration. How much more revenue did he get? He has a decrease of over a quarter of a million on revenue. But there was an increased importation of 10,000,000lb. of sugar; that means a loss, by the higher rate of duty on sugar, of about \$600,000 by way of revenue. Has it gone into the pockets of the people? If it has been left in the pockets of the people, there has been no wrong. But if this half a million dollars is lost to the revenue, and is not in the pockets of the people, where is it? If it is in the pockets of persons to whom it does not belong, and if it was not given voluntarily by the people, but was taken by Act of Parliament, I ask what name shall be given to the hon. gentlemen who passed the enactment that took \$600,000 of the people's money out of their pocket to put it, not into the public revenue, but into the pocket of some individual in this country? It has been asserted by hon. gentlemen opposite that sugar has been lower in this country than in the United States. I happen to handle sugar considerably myself, and I know that, during nearly the whole time which this Tariff has been in operation, the ruling price of our refined sugars has been from  $\frac{3}{4}$ c. to  $1\frac{1}{4}$ c. per pound higher than we would have had to pay for them had the Cartwright Tariff been in force, under which we got half a million more revenue than under this. Let us remember the fact that there are only one or two refiners in this country. The hon. member for Montreal West (Mr. Gault) said the other night there were two competing keenly. There are two there now, but they are virtually one. The capacity of the refinery of Redpath and Son is over 60,000,000lb. per year. This is the amount turned out by them, with an increase of from  $\frac{3}{4}$ c. to 1c. per pound to the ordinary legitimate profit. It means that, in addition to the ordinary and legitimate profits to which they are entitled, they have been enabled by the enactments of the hon. the Finance Minister to take

out of the pockets of the people of this country \$450,000 to \$600,000. I do not blame Redpath and Son. There is not an hon. gentleman in this Chamber that would not do the same thing. The St. Lawrence Refinery Company are not to be blamed if they combine with Redpath and Son, as they will do, and then they will have the people of this country at their mercy. If the hon. gentleman sees that such is the effect of his Tariff in the one item of sugar, he will readily understand me when I say that, if we had the same average increase of duties under the Cartwright Tariff, and as adjusted by that hon. gentleman, we would have had \$2,500,000 more revenue, besides having sugar for 1c. a pound less, and our coal and flour absolutely free from taxation. Now we pass on to consider the claim that was made by those hon. gentlemen that, by their restoration to power and the enactments they would place upon the Statute-book, manufactures would increase and everything would prosper. Those hon. gentlemen manifest a good deal of uneasiness, a good deal more uneasiness at hearing the utterances of their right hon. leader read than I see them manifest sometimes when that right hon. gentleman has addressed them. I do not know why it is that, when the words of that right hon. gentleman are read, and read from the organ of his own party, they should manifest so much restiveness. I do not know how it is that, when a sentence of that famous Parkhill speech of his, that was so loudly cheered when it was delivered, is read now, the hon. gentlemen opposite should become so restive. It cannot be that it is simply because it is read by a member of the Opposition. The words are there, uttered by their worthy chief, and he has promised there distinctly that, if the people would place him in power, prosperity would return, confidence would be given back, stocks would increase, the country would become prosperous, even before their Tariff was submitted. The very next day he said that would take place, but 540 days have elapsed since then, and still the cry of the hon. gentlemen opposite is: Give the policy time to develop itself; it has not yet had time to produce its beneficial effects. Well, that may be, but the country is not disposed to look at it in that light. A man who should obtain

a loan of money from another man, promising to return it next day, would be considered to have forfeited his honour as a man if, after 540 days had elapsed, he failed to make good the return of that money; and, if, when asked for it, he turned round and said: You must give me time in order to do this, what could be said of that man? What is the difference between such a man and those gentlemen who said: If you will return us to power you will have prosperity on the very next day; and, after 540 days have passed, they come to this House and as suppliants, as insolvents, ask us to compromise our claim with them, or at least to give them an extension of time? Sir, they need it. In all the operations of this Tariff it has failed to do what those hon. gentlemen promised of it. They claimed it would stop disaster and give confidence, and they claim now that it has realised those expectations, because there is more confidence in the country now, and things are in a better state now than a year ago. Will the hon. gentlemen be prepared to listen to me while I make them an admission in reference to this point. A peculiar state of affairs reigns in Canada at the present time. On the one hand, there never was more misery than there is now. There never were more men out of work. There never was greater suffering and destitution among certain classes than at the present moment; yet I am free to admit that, while that is the case, there is an undertone of confidence and buoyancy that we were strangers to two years ago. I believe that we are now to have better times than we have had. I believe there is to be a revival in business. I make this admission designedly, for this reason, that the people of the country, when that revival comes, may know that it has not been brought about by the legislative enactments of hon. gentlemen opposite. I invite the attention of the House to the consideration of the following figures also furnished by the hon. the Finance Minister. I find that, for the six months ending 31st December, 1878—the last six months of the Mackenzie Administration—the exports of the produce of the forest amounted to \$9,257,471. I find for the six months just ending, under hon. gentlemen opposite, the exports of the same article were \$10,304,081 I find that the exports of

animals and their produce for the last six months of the Mackenzie Administration were \$8,494,872. I find that, during the last six months, they amounted to \$10,840,190. I find that the exports of agricultural produce in the last six months of the Mackenzie Administration were \$12,689,000. During the last six months of 1879 they amounted to \$14,801,652. That means that we have had an increase of the exports of those three articles during the last six months, over the last six months of the Mackenzie Administration, of \$5,504,565. Are these figures right?

SIR SAMUEL L. TILLEY: Yes.

MR. PATERSON: I am glad at any rate that I have hit on some figures that the hon. the Finance Minister admits are correct. They are correct, and I rejoice with the hon. the Finance Minister in the hole they fill. It can be no satisfaction to any Canadian to know that this country is suffering under reverses. It can be no satisfaction to any Canadian, I care not what political stripe he may be of, to see the continuance of hard times and the depression of trade exist in the land. When I find an increase of \$5,500,000 in the exports of three articles alone, there is ground for greater confidence in the minds of the people. But it should be borne in mind that the legislative enactments of the hon. gentleman have not influenced that matter in the slightest degree. The hon. gentleman surely is not impious enough to claim that by his legislative enactments he has caused the rain to fall from heaven and the sun to shine on the earth, or that he has caused it to produce more trees, or that he has enabled the cow to give more milk, and thus enabled us to obtain more butter and cheese. He tells many strange tales, but he will hardly allow his imagination to carry him away to that extent. The hon. gentleman will hardly claim that he has been the means of sending up the lumber market of Albany \$2 per thousand, or that he was strong enough to force up the butter and cheese market of Great Britain.

SIR SAMUEL L. TILLEY: I thought butter and cheese had not increased in price.

MR. PATERSON: The price has increased, but the hon. gentleman will hardly claim, that the National Policy has succeeded in doing that.

SIR SAMUEL L. TILLEY: It is a question of fact. The hon. member for West Middlesex (Mr. Ross) said that the price of nothing but, wheat had been increased.

MR. PATERSON: I will leave the hon. gentleman and the hon. member for West Middlesex to fight that matter out between themselves. I was saying we have had increased prosperity, and that is the reason that there is more confidence in commercial circles. What would hon. gentlemen have done if they had had a year like that of 1876, when the Mackenzie Administration was in power, and when there was almost a famine in this land? Then, instead of being able to export \$8,000,000 worth of breadstuffs, the balance was turned against us and we had to import more than we exported. Hon. gentlemen were cognisant of that, yet they did not hesitate to play the rôle of demagogues, and actually blame the late Administration because there had been a famine in the land and because Providence withheld rain. I pass on to notice the commercial interest which it was promised would be benefited by the Tariff. What has been the effect of the Tariff in reference to commercial matters. It is this; it has removed the tea trade in a great measure from the hands of wholesale dealers in Canada, and almost centred it in the cities of Boston and New York; has taken away from Canadian wholesale merchants their opportunities for operating in sugar in foreign markets, and centred the business in two firms in Montreal. It has also taken away their opportunities of buying woollen and cotton goods in the foreign markets. To the agricultural interest the Government promised high prices, but I defy any hon. member of this House to show how the price of one single article of agricultural produce has been enhanced through the operation of the National Policy. We never denied that wheat, oats and barley might advance. We never denied that if there was a famine in Europe there would be a greater demand for wheat, and that it would go up in price. It will be within the recollection of the House that we got \$2.25 for wheat when there was no duty on it. What we claim is that the present rise in prices is due entirely to the rise in foreign markets,

and that it is uncontrolled by the combined wisdom of this Government of ours. The cry of the hon. gentlemen was: We will give the farmers a home market, and they asserted that it was a shame that millions of bushels of American wheat should come into the country without paying any duty, while we have to pay a duty of 15c. per bushel on all Canadian wheat going into the United States. I find, however, from an Order in Council, that any miller in this country can go to the United States and bring in the whole wheat crop of the United States in bond, and grind it in his own mill, instead of grinding Canadian wheat. But he can do more under that Order in Council. When wheat is getting scarce in the Canadian market he can bring in American wheat, grind it, and sell it on the Canadian market. Then, after the Canadian harvest has been gathered in, and the price of wheat has gone down, he can grind Canadian wheat, and export it in its place as an equivalent. Hon. gentlemen went through the farce of putting 15c. a bushel on wheat, and they opened the door through this Order in Council to all the surplus wheat of the United States.

MR. BOWELL: The hon. gentleman has not quoted the Order in Council correctly.

SIR ALBERT J. SMITH: But we know how it works.

MR. PATERSON: It will afford me a slight rest to read that Order in Council. It is as follows:—

“GOVERNMENT HOUSE, OTTAWA,

“Thursday, 10th day of July, 1879.

“Present:

“HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

“On the recommendation of the hon. the Minister of Customs, and under the authority given and conferred by the 125th section, clause 1st of the Act 40 Vic. cap. 10, intituled: an Act to amend and consolidate the Act respecting the Customs,—

“His Excellency the Governor-General has been pleased to order, and it is hereby ordered, that the grinding and packing of wheat, maize, and other grain, in bond, shall be done and conducted under the regulations and restrictions following, namely:—

“1. The Collector of Customs at any port of entry, shall receive entries of foreign wheat, maize, or other grain to be ground and packed in bond for exportation or consumption, and such Collector shall deliver, or cause to be delivered, such wheat, maize, or other grain to be forwarded on to the port of destination, where

may be situated the mill or mills at which the said wheat, maize, or other grains to be ground and packed in bond as by law permitted.

"2. The wheat, maize, or other grain shall be so forwarded under bonds to be taken either by the Collector of the port of entry, or by the Collector at the port of destination, as may best suit the convenience of the importer, which bonds shall be taken for an amount that will cover the duties chargeable upon the said wheat, maize, or other grain, and be conditioned for the due payment of such duties should such wheat, maize, or other grain go into consumption; or for the due exportation of such wheat, maize, or other grain, or the equivalent thereof in flour and meal; and on proof of the payment of such duties, or of the due exportation as aforesaid, within one year from the date of the said bond or bonds, the said bonds shall be duly cancelled; and if such bonds shall be given at the port of destination a certificate of such payment or exportation, under the hand of the Collector of Customs at such port, shall be forwarded to the Collector at the port of entry at which such wheat, maize, or other grain shall have been imported or entered for manufacture in bond.

(Signed) "W. H. HILSWORTH,  
"Clerk, Privy Council."

I think hon. gentleman listening must see that I have correctly interpreted this Order in Council. What the Order says is that American wheat may be imported into Canada and its equivalent in flour exported within one year, but it does not say that that flour must be made of American wheat. Canadian wheat can be used as the equivalent, as I have no doubt it is.

MR. BOWELL: That is not correct.

MR. PATERSON: Very well, we have the document here, and the farmers will be able to interpret it for themselves. I have taken the trouble to ascertain what effect the imposition of the duty on wheat has had, and I glean these facts. I find that, from the 15th of March to the 30th of June, a period of three months from the enactment of the Tariff, 559,968 bushels of wheat were imported from the United States. The farmers, in the simplicity of their hearts, thought that 15c. a bushel would be levied on these 559,968 bushels of wheat, in order to give them Protection. Now, I have to tell every farmer how much money went into the public chest in the shape of duty on those 559,968 bushels of wheat. There was placed in the Treasury, by way of duty on that wheat, \$210 altogether. In calculating the average per bushel I could hardly find decimals small enough, but, as near as it could possibly be ascertained,

MR. PATERSON.

it amounted to about one-thirtieth part of a cent per bushel. It is thus that the farmers have been scientifically and deliberately deceived by hon. gentlemen opposite; and they need not be surprised that there is a feeling of indignation, scorn and disgust, and that it found its manifestation in sweeping away the candidates that were supported by them in the last Ontario elections. They could not content themselves with what they did; it was surely enough contemptuously if I might be allowed to use the term, without adding insult to injury, by coming down as they have done with a proposition to put 3c. per pound on wool, but only on the kinds of wool of which we do not import one pound. It is the last straw that breaks the camel's back; and the hon. gentleman is advancing in years, and having got where he is, he cares very little for the back of the camel, or whether it is broken or not. We pass on now to another interest—the lumber trade—which has to be developed. But the lumberman has received no benefit whatever; he is taxed, and heavily taxed. A heavy tax is put upon his provisions, and upon the implements he uses, but, in respect of his timber, which is dependent upon the foreign markets, the hon. gentlemen opposite were utterly incompetent to help him in the least degree. How has their policy acted in reference to the fisheries? Has it given us any more fishes to the sea? What are the ominous words uttered here by the representatives from Prince Edward Island, representatives that support the present Government? They show clearly that that Province does not reap any advantage whatever from the National Policy; and already we hear from the people of that Province, deceived and exasperated as they may well be, the ominous word, "secession." With regard to the shipping interest, we need not do any more than recal to the attention of the House the statement made by the hon. member for West Middlesex (Mr. Ross) to show what disastrous results have overtaken that interest in this country. The agricultural interest, the lumber interest, the shipping interest and every interest is in a worse condition than ever before. There is, however, one interest which gentlemen on the opposite side took specially

under their wing; an interest which raised the clamour for the National Policy in this country, in order to secure the prosperity of that one industry which they pre-eminently wished to encourage. What has been the effect of the National Policy with reference to the manufacturing interest? Here, Sir, at any rate, we have to bear testimony to the fact that a few manufacturers in certain lines have benefitted by the legislation of hon. gentlemen opposite—and not many of them. We have a benefit derived by the sugar refiners. There are but two of them in existence. One of them is a small one: I wish to refer more particularly to the Redpath establishment.

MR. PLUMB: We have heard that before.

MR. PATERSON: It possibly might do to hear it again. There would be something for the hon. member for Niagara (Mr. Plumb), having heard it so often, to explain, why legislation has thrown all the profit into the pockets of one firm. Will he give as his answer that the people have been recouped by getting additional employment? Will that be said? We have the testimony of one of the proprietors of that establishment that, counting the porters and draymen, and all the men that make the barrels, all the men that cart their sugar and all their employes of every description, they employ 300 or 400 men. But, in giving these 300 or 400 men employment, what opposite result has been produced? I tell the hon. member for Niagara that, since the introduction of this Tariff, there have been as many thrown out of employment by the numerous steam-baking and confectionery establishments that have gone into insolvency in consequence, in part at least, of the change in these sugar duties. By these failures of confectionery establishments there have been as many men thrown out of employment as the Redpath sugar refinery has given employment to. With reference to woollen materials and cotton goods, it is said that there has been a benefit, and also that there has been a benefit in the rubber establishment. The hon. the Minister of Finance is in possession of a circular, signed by certain manufacturers, stating that the Tariff has damaged their industries.

SIR SAMUEL L. TILLEY: My strongest case is that very petition.

MR. PATERSON: In what respect is it the strongest?

SIR SAMUEL L. TILLEY: I will tell you when I speak of it.

MR. PATERSON: I would like to hear it now. The hon. gentleman stated in his Budget Speech that, when he went on that pilgrimage of his, he found that manufacturers were discontented in some places, and from that he judged that his Tariff was not too much in their favour. I would ask him if he has any reason to believe that Redpath and Son are dissatisfied with the Tariff. If they are fully satisfied, then he should then feel, according to his own reasoning, that he had unduly favoured them. It is not only true that agricultural implements and the iron trade have suffered, but also the boot and shoe trade, and every industry that employed ten or a hundred times as many men as were employed by all the sugar refineries that can be in this country. One hundred and twenty million pounds of sugar a year is the whole amount required to be manufactured. Sixty million pounds are produced by Redpath's establishment. Two refineries of that size will supply all that is wanted. We would then have only 600 or 700 men employed; there would be \$1,000,000 more paid out of the people's pockets for sugar, and half a million dollars less revenue. This would be the result, if my figures are correct, and anyone can decide for himself. Now, I say that, if the hon. the Minister of Finance would take every one of these sugar refinery employes, and buy for each a farm of the best land in Ontario, and give him in addition \$500 per annum to take his ease, he would save money to the people of this Dominion. Divide up that million and a half dollars taken out of us between these 300 or 400 men, and see how much money it would give each. If in order to make a home market it is necessary to keep in the country these 300 or 400 consumers of our farm produce, the plan I have suggested would save the country half a million. If there be anything that is unjust and oppressive it is the tariff on sugar. What I most deplore is that trade and commerce and the Tariff should become an issue between the two political parties. Party objects



and party ties carry away gentlemen opposite to the support of a policy that they must know to be wrong. I am surprised that a gentleman of such intelligence and capacity as the hon. member for Cardwell (Mr. White), who is not in his seat just now, should be carried away in this manner, and that gentlemen from Montreal and other commercial centres should allow their party prejudices to so pervert their judgment. Is there any one of the hon. gentlemen opposite that does not know that they are fooling and insulting the people of this country by persisting in this policy. They must be all aware of it; but, because it is denounced on this side of the House they will not recede, and the consequence is that we shall have to go on another year, with six or seven million dollars taken out of the people of this country, the large proportion, if not all of it, going into the pockets of a certain few instead of going into the Public Treasury. That is what we have had and what we must continue to have as the effect of the National Policy. We are told they bargained for this result, but the people of this country will not say they bargained for this. They bargained for what hon. gentlemen opposite promised; but this is not what they promised. Depression existed in trade. They said it was caused by the Government, and that the remedy to apply was to turn out that Government and give the reins of power to themselves. Having been seated on the Treasury Benches, they remind me of the quack doctor in a western town, who was asked to prescribe for a child in a low fever. He said: "I do not know much about patients in that state, but give the child this medicine; it will throw it into fits, and I am first-rate in curing fits;" the remedy being to stop the medicine. The hon. gentlemen opposite found the country feverish; they found it in a low state, and they asked to be allowed to apply the remedy. Now they say: "We thought we knew the remedy, but we were mistaken in the disease; but we can give you fits, and we are good in curing fits." The people think they have got "fits" in the taxation which has been heaped upon them, and the Opposition say that in order to cure the evil results they have entailed on the country through the operations of their

nostrum, in the shape of excessive taxation, that taxation must cease. Let the people pay into the Treasury no more than is required for the wants of the country. Hon. gentlemen opposite, and the hon. the Minister of Railways especially, have declared that the country is still with them. I have to tell them that they sit there virtually by the fact that Parliamentary life in this House is five years. They sit there by virtue of hanging together, and they will sit their time out because they are banded together for that purpose. But they must be cognisant of the fact that their official life will cease just as soon as the people have an opportunity of pronouncing judgment on their policy. It will be remembered that this question came up last Session, and I want to allude to the result of the Ontario elections, for I consider they bear upon this question. I consider that they ought at any rate to give premonitory warning so hon. gentlemen opposite that the course they have pursued is not one regarded as purely beneficial to our interests. That policy was emphatically condemned by the people of Ontario, so far as they had any power to condemn it, when the Local Government appealed to them in June last. During the Tariff Debate last year, I made some remarks in reply to an hon. gentleman opposite, which will be found on page 1532 of the *Debates*, 1879. On resuming my seat I was taken to task by the hon. the Minister of Agriculture. The position taken by myself was that the June elections would be a test of the popularity of the National Policy, and it was accepted by the hon. the Minister of Agriculture. The *Mail* newspaper, the organ of the hon. gentlemen opposite, in commenting on my remarks, said, editorially, on April 28, 1879:

"Mr. Paterson, of Brant, is as good a finger-post in political matters as any other. In his speech on Thursday night he was frank enough to tell the House that he was of opinion that the people of Ontario were watching the proceedings of the House, and that at the coming elections the popular feeling against the Tariff would make itself felt. It is now somewhat satisfactory to know that Mr. Paterson and his friends are desirous of bringing Dominion issues into the Local elections; perhaps the people of Ontario will give the matter their consideration. The Reformers are desirous of testing the earnestness of the people of Ontario in favour of the National Policy—the people would, perhaps, prefer to be tested.

MR. PATERSON.

We believe the people are as fully in favour of the National Policy now as they were in September last. Messrs. Paterson and Mowat seem disposed to join their voices in declaring that the National Policy is oppressive and unpopular, perhaps the people will accept the issue and undeceive these gentlemen."

Well, the people accepted the issue, and some gentlemen were deceived, but it was not Messrs. Mowat and Paterson—it was the hon. gentlemen opposite. Then we find the right hon. the leader of the Government, the hon. the Minister of Railways, from the distant Province of Nova Scotia, the hon. the Minister of Finance, from the distant Province of New Brunswick, going post-haste into the centre of Ontario in order to cast their influence on the side of the Conservatives at those elections. In the amphitheatre in Toronto, three nights before the polling, we find, by the *Mail* of June 3, that the right hon. gentleman (Sir John A. Macdonald) said :

"He warned all friends, and those of the opposite party who approved of the National Policy, that if they voted for the support of the Mowat Administration they would be voting for the maintenance and continuation of a Government who had tried to defeat the National Policy, and to crush down the infant and struggling industries of Canada."

On the same occasion Sir Samuel L. Tilley said :

"Let them, as electors, discharge their duty in such a manner as to sustain this policy."

Then there was a belted knight, the hon. the Minister of Railways, who hastened up to Hamilton to address the electors, and what did he say, according to the same newspaper ?

"He knew too well that at such a crisis the people were so patriotic that they would sustain their unanimous decision of the 17th September last."

What do these words mean ? They mean that this entire Government threw its heart and soul into the Ontario elections, and told the people that, if they cast a vote against the Opposition in Ontario they were voting against the party in this House which gave the country the National Policy. And what was the verdict ? Thirty-six seats won by friends of the Opposition of this House, while they only lost three—a change so great that, if it were made here, it would amount to sixty-six votes, would make those hon. gentlemen tremble in their seats, and

would crumble their Administration to the ground. Now, they claim that the people of Ontario did not consider that issue. They say that the *Globe* and Mr. Mowat said that the National Policy did not enter into the elections. Well, what did the *Mail* say ? In an editorial on June 7th, two days after the elections, it said : "Until within the last three days the Toronto *Globe* protested against the introduction of the National Policy into the contest." There is an admission of the fact that the *Globe* did not always say that the National Policy had nothing to do with the elections. Did the National Policy give Mr. Mowat his sweeping victory ? Hon. gentlemen opposite know that their friends in Ontario are one with themselves ; they know that they will take the cue from this Government. What was the character of the Mowat Administration, as portrayed by the hon. friends of the gentlemen in power ? According to their statements, it was the most corrupt Administration that ever sat 'on the Treasury Benches ; they had wasted \$12,000,000, and were guilty of direct acts of corruption. Senator McPherson, one of the great authorities of this party, wrote a pamphlet, in which he proved that the Mowat Administration was not only the most incapable but the most corrupt and extravagant of any Administration. Well, how did that Government get their majority ? Hon. gentlemen opposite are on the horns of a dilemma. They must either admit that the Ontario Reform party went in on the strength of the failure of the National Policy, or they must admit that Senator McPherson and his colleagues in the Dominion Government have villified Mr. Mowat and his supporters. They can take which horn of the dilemma they choose. In conclusion, I desire to say a few words upon a matter I think it is time for us to pause and consider. I am willing to admit that the hon. the Finance Minister had some strength in his argument when he pointed to the fact that he had negotiated a loan in the London market on better terms than had been obtained for many years previous—when he pointed to that as proof that his Tariff was not regarded by the people of Great Britain as hostile to them. It is pleasant, when we have to find so much fault, that we can award a meed of praise

when it due. I am free to admit the fact that the hon. Minister effected a good loan, and he is entitled to all the credit such a transaction should bring. It is not with a desire to detract from that credit that I make this observation, but I make it because it seems to point out to my mind a consciousness of something which the hon. Minister is aware of. He told the people of Great Britain that, if this Tariff operated against them, he would give relief in relinquishing certain duties which bore upon them. But he has not done so, and it seems to me significant that the hon. gentleman is conscious of the fact that, though he made a good loan, he cannot, with the Tariff standing as it is, go a second time to the London market for money, and consequently we have this forced loan of \$8,000,000 from the Canadian people in order to relieve him. If he went there with such success the first time, why does he hesitate to go again, and why is it necessary to come here to propose legislation for this forced loan? It seems as though the hon. gentleman is conscious that, so long as the Tariff remains as it is, he dare not go to London again for money. He may also be conscious of another fact, that the people of Great Britain are watching the finances of this country, and know that, while the hon. gentleman is doubling taxation on many articles, there is a greater deficit than ever before. They can see that the Public Debt is being run up to proportions beyond the strength and endurance of the country—that the debt has gone up to \$155,000,000 under those hon. gentlemen, for they are responsible for the whole increase of that debt. The increase that took place under the late Administration was for works the country had been pledged to. The present Government have augmented the debt from \$75,000,000 nett to \$155,000,000; they are now forcing a loan on the people of \$8,000,000 more—a National Debt, altogether of about \$40 per head. It is time the House should ask itself, and the country also: Whither are we drifting? It is time to insist on the brakes being put on the wheels of State, and that no outlay should take place but such as is imperatively demanded in the development of the country, and as will speedily repay itself. I am a Canadian, above all things,

and wish well to Canada; I have no fault to find with the existing arrangements between it and the Mother Land. I do not desire the severance of the connection in any sense; but, if there be any danger to that tie and of a new connection being formed with the people to the south of us, it is likely to arise from the enormous, sudden, rapid increase of the Public Debt. The moment you give the people to understand that our debt is greater in proportion than that of the United States, you snap one of the strongest cords that binds us in allegiance to the Mother Country. Should a change in the relations of the Dominion to the old land in future take place, I desire that Canada may have so managed her financial and other affairs as not to be willing to transfer her allegiance to the Republic, but to take her destinies into her own hands; and, on this continent, more than half of which she owns, to build up a name that would be a credit and an honour to any nation. I hope we shall cultivate the sentiments that will bind us firmly together, and help us to achieve such a glorious result. If this is to be done, it can only be by guarding against rushing up our Public Debt to such an extent as would drive us to the neighbouring Republic to get rid of burdens and evils the country could not otherwise shake off. To these considerations I hope that hon. Ministers will address themselves, and that for the next few years they will ask for only such expenditure as will be found necessary to the development and material progress of the country. I hope that we shall not engage in any enterprise that would not only sink much money, but entail the management of costly public works, which would add millions in a few years to the present heavy burdens, and cost, like some existing works, hundreds of thousands a year more than they produce. I thank the House for its kind attention to my remarks, and assure hon. gentlemen that, if I have given any offence to any of them, it was through no improper, unjust or malicious motive. If my arguments and figures can be controverted, I hope hon. gentlemen opposite will address themselves at once to the task. If they succeed in setting me right, I shall appreciate the benefit, and thank them as the instruments of so much good to myself.

MR. ORTON: It is not my intention to prolong the discussion on the National Policy, because I do not think there is anything to be gained by it. The time will come when we can approach it with far more profit to hon. members and the country. I believe that then some of the hon. gentlemen opposite who have made long speeches on the subject will regret very much what they have said. We have witnessed before, with certain hon. gentlemen opposite, extreme regret for the eloquent speeches made by them on the trade of this country. I recollect the speech of the hon. member for South Brant (Mr. Paterson), in 1874, when he, with all his eloquence and peculiarly forcible manner, tried to impress the House and get his sentiments circulated through the country, to the effect that, in order in order to benefit it, and advance its best interest, we should adopt a high Protective policy. But party exigencies required him to change his base; and we witnessed the facility with which he could not only change his base, but the boldness with which he could express his regret for having given utterance to sentiments in favour of Protection. There are other hon. gentlemen on that side who have also been obliged, for the sake of party, and without any regard to the public interest, to desert the principles they first advocated in the House, the principles which they believed then were in the best interests of the people. I remember the hon. member for North Norfolk (Mr. Charlton) making one of the most powerful appeals ever made in favour of Protection, and the hon. member for North Oxford (Mr. Oliver) uttering sentiments in favour of Protection, not only to manufacturers, but the agricultural interest. But, when their leader adopted a different idea, and told his followers they must favour Free-trade—that it was necessary, as the friends of Free-trade in Canada were strong—they deserted their honest principles in the interest of their party. I could not help making a few remarks on this occasion, after the anecdote of the hon. member for South Brant in reference to fits. When I saw his struggles and violent contortions, I felt he was suffering from fits, and, being an expert on fits, I felt it my duty to give him a remedy for his trouble. In the first place, his speech referred to the increase in the Estimates.

He will find, however, no scandals in them; no money wasted on Goderich Harbour, or on Fort Frances Locks and the water-stretches, or on Anglin printing jobs or Palen contracts. There have been no hundreds of thousands thrown away on steel rails long before wanted, or on rails presented to the Canada Central Railway, without benefit to the country. The hon. the Finance Minister stated very good grounds for a judicious increase of the expenditure. He told the House that, in consequence of the impulse recently given our trade and commerce, a large increase of immigrants was expected, a large portion of our vast North-West Territory settled, and that our revenue would be consequently augmented. New roads and post-offices would be necessary, with similar improvements, as a preliminary to increased settlement; trade and the public income for current year warranted this increase. The hon. member for South Brant was kind and pleasant enough to say that the Government possessed supporters of intelligence, and that their friends represented any amount of wealth; but in the next breath he attempted to make the House believe that those independent gentlemen, like the hon. member for Centre Toronto (Mr. Hay), and others, who had, during a long lifetime, co-operated with hon. gentlemen on the opposite side in politics—that those independent men, who were driven out of the Reform ranks, and were obliged, out of patriotism, to act as they have done, had not acted a proper part. Does he mean to insult them, by stating that they would sit here and give utterance to sentiments that they did not believe? Does he mean that intelligent Conservative members came here after hard struggling to carry their elections for the paltry purpose of supporting a set of men in office, without higher sentiments or worthier ideas to influence their course? The hon. gentleman made a very violent attack on the hon. the Minister of Railways, the reason for which I can easily understand. If there ever was a speech that utterly exposed the hypocrisy, the entire want of patriotism, and the petty character of the principles which guided the Reform party in the past, and in its conduct in this House since the last elections, it was the speech of that hon. gentleman in reply to

the late Finance Minister. I can easily imagine how the late Finance Minister must have felt that effort, and also how his followers, who admire his peculiar romancing faculty, must have felt it. The hon. member for South Huron said he had a sort of affection for romance, and I am sure we believe he prefers it to truth, if we judge by his long, rambling speech on all sorts of matters beside the questions at issue, and that he is a worthy follower of the late Finance Minister. Compare the course of the present with that of the late Finance Minister, who, twenty-four hours after he brought down the Tariff, saw all the corridors of the House crowded with deputations, from all quarters, who came to beseech him to give more consideration to the welfare and business requirements of the country. He was obliged to occupy a very humiliating position, and change that Tariff to such an extent as to put it almost beyond his own power of recognition. I also recollect the years that we on this side sat in Opposition, pleading the cause of the country, and the deaf ear that hon. gentleman turned not only to us, but to the most active and energetic business men who came to pray that he would consider what the interests of the country required, and relieve its struggling industries, and try to rescue the country from the despair into which it was falling under the Administration of hon. gentlemen opposite. I remember, with what self-satisfaction, and arrogant assumption of superiority, peculiar to him, he motioned them all away, seeming to say: I know everything. His great object seemed, not to enter into the views and feelings of the people, but to show that when he gave his opinion it had to be followed, at whatever risk to the interests of Canada. How different has been the course of the present Finance Minister in all respects. I could not help thinking, when listening to the long tirade of the late Finance Minister, that when he passes away—a fate I hope far distant—the epitaph that Robert Burns applied to “Jamie” might well be inscribed on his tomb:

“Beneath these stanes lies Richard’s banes,  
Oh, death, in my opinion,  
Ne’er took such a blathering one  
Into his dark dominion.”

We have heard him indulging in long-winded speeches, night after night, regard-

less of the people’s wants and interests, and of the fact that himself and colleagues were driven ignominiously from office by an indignant community. When the present Finance Minister and his colleagues received such an overwhelming expression of the confidence of the people of this country, what was their course? Did they say they knew what was better for the people of Canada than the people themselves? No, but the hon. the Finance Minister was willing to receive advice from all classes, and day after day he received deputations with courtesy and kindness, to obtain from them information with reference to the different industries of this country, and the result was the bringing down of the Tariff, which is not only an honour to that hon. gentleman, but a credit to our country. It will, I am convinced, raise our country from that condition of dependency into which it was brought by the maladministration of the former Government. I believe that the policy of this Government is one eminently in the interests of Canada. The hon. member for South Huron (Mr. Cameron) stated to-night that Protection, as a principle applied to the improvement of trade, was a long exploded doctrine. But can he say that such is the case when we find that almost every nation advanced in civilisation is protecting itself against Great Britain, the only Free-trade country in the world? They are all protecting themselves against Great Britain, and that country is obliged, through many of her leading men, to acknowledge, though strongly wedded to Free-trade, that it will be impossible for her to hold her supremacy unless she adopts Protective measures. Protection is one of the very first impulses of man; it means self-defence, and is there a nation under the sun with any spirit that would submit to have their industries destroyed and their trade taken away from them without attempting to defend their position? I think not, and I believe the time is not far distant when even Englishmen themselves will be compelled to admit that their Free-trade policy has been a failure. I believe in the abstract that the principle of Protection is the only one by which Free-trade can ultimately be obtained among different countries. In order to secure

fair trade relations with other countries, it is necessary for us, first, to adopt Protective duties against those countries that raise barriers against our trade. Canada is placed in close proximity to the great American Republic, which has adopted a high Protective Tariff. We were obliged in self-defence to put on Protective duties, believing that we would by that means show the American people that, though we were small compared with them, we were yet possessed of some enterprise and public spirit, and would not tamely submit to have our trade destroyed and our interests sacrificed for the benefit of that Republic, and that we would not be driven into annexation by their high duties; and so we determined to put on Protective duties and defend ourselves in a manly way. We hope our vast territory will, by this means, ultimately become the home of a nation as great and powerful as the United States. I believe to-day that many of the leading statesmen in the United States recognise that it would be to their advantage to have fair trade relations with Canada, and that the day is not far distant when they will apply to us to enter into a Reciprocity Treaty, by which fair trade relations may be secured between the United States and Canada. I believe that, if Great Britain were to exercise the influence she possesses, she could induce the United States to give, in self-defence, as it were, entrance to her manufactured wares. If Great Britain were to put a duty upon agricultural products from the United States, and receive only those coming from her Colonies, what would be the result? In a few years the farming population of the United States would become discontented, and large numbers would come over to our North-West, and fill up our vast and fertile Territories. But it would not be long before the shrewd people of the United States would see that it was to their advantage to enter into some fair trade relations with Great Britain, and eventually such relations would result to the great benefit of both countries. I believe it is the duty at the present time of our Government to instruct their agent to Great Britain, who is a gentleman of very great ability, to use his influence with the British Government to consider this matter, for it is

one of very great importance. I believe that, if it were fairly laid before the workmen of Great Britain, in whose interest the Corn Laws were abolished, they would see that it is to their interest to have the duty put upon American breadstuffs and meatstuffs and to allow Colonial breadstuffs and meatstuffs to come in free, because they can see that it would give them by that means an immense market for the manufactures of Britain in her Colonial possessions; it would increase her market ten-fold, and give employment to her masses without adding to the cost of breadstuffs. The United States and other countries now produce a surplus of breadstuffs, and if they were shut out of the English market, they would be compelled to grant Reciprocity in order to secure a market for their surplus breadstuffs. The hon. member for South Huron (Mr. Cameron) referred to the lumber business. It is true that much money is made by a few individuals in this country, who cut down our forests, which nature has given us, but the welfare of the lumbering men is of little general importance. But we all know that a vast improvement has taken place in reference even to the lumber business. I do not mean to say that it has resulted from the National Policy altogether, but I do mean to say that the inauguration of this policy has given confidence to the people of Canada; it has given confidence to the capitalist, and people are now ready to invest their means in building operations, in which lumber is used, and in manufacturing industries generally. I think this has something to do with increasing the prosperity of the lumbering interest. When I listened to the hon. member for South Brant (Mr. Paterson) to-night, I could not help feeling that he was possessed of a degree of presumption and boldness that few men possessed. Does he not reflect that this National Policy is not carrying out merely the views of a Ministry or of a Parliament, but that it is carrying out the strongly expressed wishes of the intelligent people of Canada. Instead of decrying or denouncing this policy, he should, as a patriotic Canadian, endeavour to give it a fair trial. When hon. members on the other side of the House are denouncing this policy, and trying to show that their country is still suffering from depression, they are acting

in a very unpatriotic way. They are destroying the confidence of the capitalist, and preventing him from investing in new enterprises to the same extent that he would otherwise do. I say that we should give this policy a chance to develop itself, and, if, at the end of four years, it is found that it has not been in the interests of the people of Canada, then will be the time to get up in this House and denounce it, as we have heard it denounced to-night. But I believe that four years hence this policy will have proved so great a success that no one in this House will dare to denounce it. I wish now to consider the agricultural part of the question. The hon. member for South Brant endeavoured to show that the policy had been of no advantage to the farmer. I am sure if he took a tour through the agricultural districts of Ontario, and told the intelligent farmers such a story as he has told to-night, he would be laughed to scorn. I can point to one article alone from which the farmers have derived more profit than they have lost through the increased taxation which that hon. gentleman says has been imposed upon the farmers of Canada by this Tariff. He says there has been an advance of  $4\frac{1}{2}$  per cent. upon manufactured woollen goods, hardware and cotton goods. Now, what does that amount to? An ordinary farmer's family is composed of, say, five individuals. I think they will require about \$21 worth of manufactured woollen goods, \$25 worth of cotton goods, and about \$40 worth of hardware in the year. Now, I think that is a very liberal amount of manufactured goods to allow to a farmer and his family for one year. At  $4\frac{1}{2}$  per cent. of additional taxation upon these articles, he would have to pay on woollen goods  $94\frac{1}{2}$ ¢ per year; on cotton goods, \$1.12 $\frac{1}{2}$  per year, and on hardware \$1.80 per year. Now, we will take the hon. gentleman's own figures on sugar. One hundred pounds will be a fair allowance for each family in the course of a year, or a little less than one pound for three days. At a cent a pound, the increased taxation would amount only to \$1 per year. I shall shortly show he is incorrect in reference to this. However, we will allow 1c. per pound increase upon tea, and what does it amount to?

MR. ORTON.

A farmer's family, I think, will consume about 30lb.; that means 30c. a year. The whole amount of the duties therefore come to \$5.17. I said I could show conclusively on one article alone that the farmers were benefitted by this Tariff, even supposing that they did not get an increased price for another article. You will recollect that a year ago wool was only 20c. per pound. The country was overstocked, and it could not be sold, even in the United States, because we were shut out of that market by high duties, consequently wool accumulated to a large extent in Canada. The effect of this National Policy, however, has been, not only to consume that large accumulation of wool, but we have been compelled to import it for the first time from Scotland and England to supply our manufacturers. The price of wool to-day, instead of being 20c., as it was a year ago, is now from 30c. to 35c. I think I am not guilty of exaggerating when I state that the average farmer of Ontario will have a flock of twenty sheep; the wool from each sheep will weigh about five pounds, making 100lb. in all. Receiving 15c. per pound for his wool more than he did before the inauguration of the National Policy, he makes \$15, or three times as much as the whole tax that the hon. member for South Brant claimed the farmer was obliged to pay? The whole influence of the *Globe* newspaper to-day is used to frighten the farmers of Canada, and in trying to make them believe they have been taxed down to the earth; that they are obliged to pay the piper, as they say, and that the "bloated" manufacturers are living on the proceeds of their industry. But what is the fact? If we pursue the subject a little further, you will see that the profit of the farmer on cattle alone, in consequence of the increased duty on cattle, is advanced to a large extent. The whole market in this respect is better than it ever was before. At our large distilleries immense numbers of cattle are fed. Before this National Policy was inaugurated a large proportion of these cattle were brought in from the United States; now Canadians have to supply these cattle, and the farmers derive the benefit. The result has been that meatstuffs have advanced at least a cent per pound, and I think every

farmer will have two head of cattle to sell, which will weigh 1,000lb., taking a low average; that means a profit of no less than \$20. Then again, with reference to oats, which were about 25c. before the Tariff was imposed. We remember, however, immediately afterwards, before a new crop came in, the price of oats advanced 10c. We find to-day, that notwithstanding that we had the largest crop of oats that ever was produced in Canada, notwithstanding the fact that the average yield was from 50 to 60 bushels an acre—in my own county I know of an instance in which 90 bushels was taken from one acre of ground—notwithstanding this enormous yield, we find the price of oats has kept steadily up to somewhere about 35c. a bushel. Taking 300 bushels as the product of one farmer, the benefit he will derive on oats will amount to \$30. With regard to wheat, I claim that, notwithstanding the remarks of the hon. gentlemen opposite, the result of giving our farmers a market for the flour used in the Lower Provinces, has been to benefit the Canadian farmer by increasing the price of his wheat about 5c. per bushel, and the benefit the farmer will derive on his wheat, putting it at 200 bushels—this is a small average I think—will amount to \$10. In countries where rye is raised, the benefit has been immense, and on every class of produce raised on a farm there has been an increase of profit, and on these other articles we may fairly place it at about \$8 of increase. That will make a total profit to every farmer in Canada over and above what he could make out of his farm produce previous to the operation of the National Policy, a sum of no less than \$83 as against \$5.17 of expenditure which that policy, according to the hon. member's assertion, has involved. We all know, however, very well, that woollen goods have not increased in price to any appreciable extent. On my way to Ottawa, I had occasion to go into a wholesale warehouse in Toronto, and I had some conversation with one of the proprietors, I said to him: "Are you importing a large quantity of woollen goods?" His reply was: "Before the introduction of the National Policy we hardly had a piece of Canadian cloth amongst our stock, but since the National Policy has gone into

force, we have almost wholly used woollen goods of Canadian manufacture, and we find that our trade has greatly increased." I asked him if the price was increased to the consumer. He replied that it was not. He said that there might be some difference in the finer quality of goods, but that the coarser could be produced as cheaply here as in England, and that the bulk of the goods used by the masses of the people have not been increased at all. I think this is a very satisfactory condition of affairs. We have heard from a practical business man in this House, and one who knows something about the trade in this country, that the increased cost of cotton goods to the farmer is very small. I think it is impossible to come to any other conclusion than that, as far as the farmer is concerned, he is benefitted to an enormous extent by this National Policy. If the great wealth-producing power of this country, the agriculturists, are benefitted, every class of our people is benefitted, and our country must go on advancing in prosperity. The increase of five millions in our exports, which has been referred to, does not give anything like a full index as to the increased prosperity of the farmers and the people of this country. It is not only the amount that is exported that we have to consider, but it is the amount that is consumed at home. We have heard from a gentleman here, whose testimony cannot be doubted, how greatly the condition of the workmen has improved. They are enabled not only to get employment more readily, at higher wages, but they are able to spend more and live better, to the great benefit of the farmers of Canada. The hon. gentleman referred to the sugar refineries, and said that in the time of the late Government the people had free coal, free flour, and free sugar, but he forgot to tell us also that the capital employed in mining the coal was spent in a foreign country—the United States. He forgot to tell this House that the capital expended in manufacturing flour for the people of this country, while we had the free flour, was spent to a very large extent in a foreign country—the United States. He also forgot to tell us in reference to sugar that the money that was made, and that is being made by refining sugar, was not made by a Canadian and distributed among the people of



Canada, but it was made by the refiners of New York, of Glasgow, and of other places outside the Dominion. Although, Sir, we may have to pay the Messrs. Redpath the sum of \$600,000 per annum for manufacturing our sugar, we have the satisfaction of knowing that that money will remain in the country, and assist in developing our internal resources. It can do no good to the Redpaths unless they distribute it, and it must naturally be distributed for the benefit of the people. We have the satisfaction of knowing that confidence has been restored in the country. Before this Government came into power, the people were sinking beneath a load of despair, and at times they lost hope entirely. But, after the memorable 17th of September, there was rejoicing from the Atlantic to the Pacific. In every town, village and hamlet in this Dominion, the people heartily rejoiced because they were delivered from the slavery of a bad Government. The hon. member was compelled to admit that there would be a revival of trade, but, with a strange inconsistency, he stated in the same breath that there never was so much distress in this country. He then referred to the Local Elections, but we know that they were not carried in opposition to the National Policy. We know that was not a question that was brought before the people. We know that Mr. Mowat is generally known as the Christian politician, and when he states a thing to the people of Canada they believe what he says. They believed him when he stated that the National Policy had nothing whatever to do with the contest that was going on in Ontario. The question was whether Mr. Mowat had acted honestly and fairly in the management of their Local affairs, and they felt that there was very little fault to find with his Administration, consequently they gave him their overwhelming confidence. The people then felt that the National Policy had only been inaugurated for a short time, and they could not form an idea as to whether it would be a great benefit or not. I do not know what the Government of Ontario have to do with the Customs duties, or anything of that kind, except when the members of that Government take tours or trips into the North West

Territories, when they may feel the duties operate heavily upon them in the matters of cigars, brandy, corkscrews and things of that kind. The hon. member for South Brant (Mr. Paterson) referred to the difficulties experienced by the candy manufacturers of Canada. I was rather astonished by the remarks of the hon. gentleman, considering that he himself has succeeded to so great an extent as a candy manufacturer himself. He has a large manufactory in Brantford, and another establishment in Belleville, and he at any rate has not much need to complain. In conclusion, I cannot help hoping that our neighbours on the other side of the House will see the error of their ways, and endeavour to pursue a patriotic course. I believe there are some gentlemen on that side of the House who do feel that their friends have been pursuing a very dangerous course. I have not yet heard the hon. member for North Norfolk (Mr. Charlton), who was always ready to speak on this question. We have a painful recollection of his having changed his views on a former occasion, and I believe he foresees now that the Reform party will have to change their principles and become Protectionists before they will again receive the confidence of this country. I thank the House for the patient hearing which they have granted to me on this occasion.

MR. WELDON moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

House adjourned at

Ten minutes after

Twelve o'clock.

## HOUSE OF COMMONS.

Friday, 19th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

RELIEF OF THE DISTRESS IN IRELAND.

REMARKS.

MR. GAULT: I have observed a cablegram, stating that the money voted by this Parliament for the relief of the distress in Ireland is to be devoted to the purchase of fishing-nets, boats, etc., for the use of the distressed fishermen. I did not understand that the money was

to be so applied, but that the Home Government would immediately apply it to the purchase of food and clothing for the famine-stricken population.

MR. ANGLIN: I am glad the hon. gentleman has brought this matter before the House. If the telegrams are correct, the Mansion House Committee of Dublin do not approve of this mode of distributing this money, but say that if they must take it on those conditions they will take it. There is an immediate, pressing demand for food and clothing, particularly for food, and I think it was the intention of this Parliament that the money should be applied to the relief of those suffering for want of food.

MR. McCUAIG: The money voted by this Parliament has been transmitted to the Colonial Secretary, and I have every confidence that the British Government will see that the money is distributed for the purpose intended. I think it is improper to raise such a question now.

SIR SAMUEL L. TILLEY: It is not at all improper, Mr. Speaker. As a member of the Government, I have no information, except the cable received by the Governor-General, which was read by the hon. the leader of the Government in Council a few days ago, asking to which of the two funds—the Mansion House Fund or the Duchess of Marlborough's Fund—it should be handed over. I think the answer of the Government was that the Government had no choice between them, and they would not object if the funds were distributed between the two organisations.

MR. ANGLIN: The objection is that the money should be diverted from the purpose for which it was originally voted—the relief of those actually famishing from want. The object of the British Government is a good object, and, if the demand for food were not so urgent in many parts of the country, there would perhaps be no objection to it.

SIR SAMUEL L. TILLEY: I know the first cablegram sent contained these words: "For the immediate relief of those suffering," but I will make enquiries and see how the matter stands. This is the first intimation I have received of the matter.

MR. RYAN (Marquette) moved:

"That the petition of D. M. Hagarty, M.D., and others, a Committee appointed at a public

meeting, held at Portage la Prairie, Manitoba; praying that a Committee be appointed to consider and report upon the advisability of taking steps to relieve the suffering peasantry of Ireland by the encouragement of Irish immigration to Manitoba and the North-West Territories, and secure to the Government of Canada the repayment of any loan for the purpose above mentioned, as in the case of the Mennonite immigration, be referred to the Select Standing Committee on Immigration and Colonisation."

MR. BLAKE: The concluding paragraph of the motion would seem to indicate that it was a proposal for advancing public funds. I do not know whether there has been any recommendation to the Crown.

MR. SPEAKER: The petition has been received, but I am told it was in such general terms that there could be no objection to it.

SIR JOHN A. MACDONALD: I do not know whether it is exactly contrary to order to make such a reference, but I do not think the Government can consent to such a reference.

Motion, with leave of the House, *withdrawn*.

## WAYS AND MEANS—THE TARIFF.

### ADJOURNED DEBATE.

House resumed the adjourned debate on the proposed motion (*Sir Samuel L. Tilley*) for the second reading of the Resolutions relative to duties of Customs and Excise, reported from the Committee of Ways and Means (March 9th).

MR. WELDON: In addressing the House on the question of the Tariff, I desire to confine myself more particularly to its relation to the Province I have the honour to represent. There is another reason why I desire to do this, because the constituency the hon. the Minister of Finance represents forms a part of the city and county of St. John, the constituency my hon. colleague and myself represents, and I desire to show whether he represent or misrepresents the views of that constituency. In calling attention to the matters referred to by the hon. gentleman, particularly in regard to manufactures, and the condition of the city, it would only be right to call the attention of the House to the position of the Province when it was induced to enter the Confederation. I felt that the interests of the Province were not sufficiently guaranteed by the scheme proposed, and made my opposition

against that scheme. My hon. colleague differed with me on that subject. The grounds that were put forward to the electors of New Brunswick were that they should have a good commercial route of railway and a moderate revenue Tariff. The Tariff of Canada was reduced as if a pledge to show that that intention was to be carried out, but I will show how far the objects have been carried out by the Government both in that respect and with regard to the Intercolonial Railway. We were to receive all foreign merchandise, we were to be the seat of the manufactories of this great Dominion, but all this has been entirely falsified. I am surprised that the hon. member for King's should go far away to build a road through a foreign country to do away with the Government railway. The hon. the Finance Minister has called attention to the fact that our Province has sustained great difficulties and trials, that St. John was totally destroyed by fire two years ago, and that the lumbering interest, and the shipping interest—two great interests in that Province—had not been so remunerative as in days gone by, and that the sufferings of the people of that Province had been very great. Now, in accounting for this distress and these difficulties under which we have laboured, the hon. Minister and the hon. member for Cardwell (Mr. White) attributed them—the one to our having ceased to be a commercial centre, and the other said this depression of our shipping and lumber was owing to the great fire at St. John. The memory of that calamity will long remain in the remembrance of the people of New Brunswick, but no one who knows the position of our city will attribute the difficulties of our shipping and lumber trade to that fire; these were in no way affected by the fire; no one can venture to say that, in regard to the trade and staple manufactures of our country, they were affected by that fire. After that blow had been struck, after our business places had been destroyed in that fire, after we began to realise our position, the energy of our people began to display itself. I feel proud of the energy that was displayed; we commenced to rebuild our city, to start our trade, and regain a portion of our prosperity; and in a moment our efforts were crushed by the imposition of the Tariff of the hon. the Minister of Finance. That Tariff has

MR. WELDON.

borne upon us in a very heavy manner, and is a violation of the pledge on which we entered into Confederation. It was understood that it was imposed merely for the exigencies of the country; but it now must be brought forward, not for revenue, but for the purpose of protecting a few manufacturers. I regard it as a breach of faith. The petition presented by a large number of inhabitants of St. John, by the electors of that city and county—many of whom were friends in bye-gone days of the hon. the Minister of Finance, among whom many a name would strike him as very familiar—contains the following clause:—

“That your petitioners would also call especial attention to the fact that the Dominion of Canada is mainly composed of a number of Provinces, which, before the accomplishment of Confederation, each possessed the power to regulate commercial dealings with the others and with foreign countries, and that each Province, by the Act of Union, surrendered this important power, upon the understanding that the legislation of the Central Parliament should have impartial regard to the industrial and commercial interests of each Province. That your petitioners contend that the present Tariff, so far as New Brunswick is concerned, is a direct infringement of this understanding, and of the compact of Confederation.”

That is the expression of 2,800 electors of the city and county of St. John. Let me digress for a moment, to refer to the remark made upon it by the hon. member for King's (Mr. Domville), that it was got up by the Opposition. True, it was got up by an opposition—by the opposition of a large number of men who, in 1878, had supported the hon. member for King's and the hon. the Finance Minister, men who lived on the principal streets of business; and you will not find wanting the names of many of the men who, in 1878, were deluded and carried away by the misrepresentations of the hon. member for King's and the hon. the Finance Minister. That telegram, sent with regard to the Tariff, stands forth in glowing colours, in scarlet letters of shame. When a telegram was sent in the heat of the contest, what was the reply of the present leader?

“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 an adjustment of the Tariff.”

“J. A. MACDONALD.”

The hon. the Finance Minister, in com-

menting upon this petition, designated it as a piece of political clap-trap. Now, no member has a right to apply such an epithet to a petition with regard to the policy of the country, with regard to a burning question like the Tariff, even if it were signed by only half-a-dozen electors; but the language is grossly unjustifiable, nay, it is an insult, when applied to a petition bearing more than 2,000 signatures. The hon. gentleman asked why it was not presented before. I will tell him. The citizens of St. John felt remonstrances would be unavailing, as the Government had not heeded other remonstrances, both from friends and foes, and they sent their petition here so that it might appear on the records as a protest and a challenge to the assertion that they approved of the policy. In calling the petition clap-trap, the hon. Minister forgot that, when he occupied the position of Lieutenant-Governor of the Province a certain petition was circulated quietly for months in St. John, and was sprung upon the public only the day before election. I think the term "clap-trap" is more applicable to the remarks of the hon. Minister than to the petition he referred to. The hon. gentleman said:

"When I visited the city the other day, though I did receive (though the hon. member expresses some surprise that I should have been met with a limited cordiality), a dinner, at which forty-seven sat down; but we had two dinners. The hotels we have there are not large enough to give dinners to 200 persons at a time. I will venture to say at the two dinners we had as many guests as the hon. gentleman had on the occasion of his visit as Premier."

Well, the hon. member certainly had two dinners or banquets, whatever they may be called. One, however, was given to him as a member of an order, at whose head he was for a long time in the Province, and as an earnest, consistent advocate of the principles of temperance. The temperance people of the city met him in the parlors of the Young Men's Christian Association, for the purpose of presenting him with an address. On that occasion, political friends and foes were present for the purpose of doing honour to a distinguished representative of the temperance cause, and not to a member of the Government. I have no doubt if the hon. gentleman looked carefully around the room, he

would have missed many familiar faces of fellow-workers in the cause in the days gone by, who felt they could not attend under the circumstances. At one of those banquets, seventy or eighty persons were present. It was not presided over by a citizen of St. John, or a supporter of the Government, but by an American citizen, an upright, honourable man, and one as zealous in the cause of temperance as the hon. gentleman opposite. I have no doubt he will be much astonished when he reads that the banquet over which he presided had a political significance. The vice-chair was occupied by a man who does not share the political views of the hon. Minister. The next evening there was a political banquet, so declared by the Government papers, at which ninety persons were said to be present. Five of those said to be present by the local organ declared that they were not there; six or seven were not residents of the county, and one man so far forgot his position as Judge of the Supreme Court as to descend into the political arena and attend that demonstration. Nearly one-half of those who attended were either office-holders or office-seekers. The hon. gentleman said the dinners were divided in order to accommodate those who wanted to take part in the demonstration. They were, as a matter of fact, divided in another sense. One was a cold water banquet, and I believe, if the hon. member for West Middlesex (Mr. Ross) came down to St. John, he would receive as great an ovation, if not a greater one. At the other dinner they had sherry with their soup; sauterne with their fish; they washed down the entrées with champagne; they had hock and claret with the game, and wound up with sparkling Moselle, port and ale. The hon. member boasted that he received as large and hearty a reception as the hon. member for Lambton (Mr. Mackenzie). When that hon. gentleman went to St. John, a dinner was given in the hotel, at which from 160 to 180 persons were present, whereas the political dinner given to the hon. member opposite was only attended by ninety persons. I think the word "clap-trap" might appropriately be applied to the remarks of the hon. gentleman about the dinners given to him. With regard to the bankruptcies, the hon. gentleman said:

"It has been attempted to be shown that the bankruptcies of the Province have exceeded those of any Province, and I was surprised to find an attempt made to attribute these bankruptcies to the operation of this Tariff. I will say here, and I think without fear of contradiction, that there are not more than two Provinces in the Dominion, taking into consideration the population and amount of business done, that have had fewer failures and fewer bankruptcies than the Province of New Brunswick."

Now, I think the hon. the Minister of Finance knows that, so far as the business men of St. John are concerned, they are as a rule well covered with insurance. It was not the business men who suffered; it was those men who had saved a little for rainy days and old age, who were impoverished. I can point to many business men who came out of the fire with a large surplus, and are in a better position than they were before, because the insurance enabled them to realise the full value of their property, that have been started in business, and the wholesale trade of St. John started again. I would ask the hon. the Finance Minister where are now the men who started in business at the end of 1877? Most of them in the Bankruptcy Court, their business driven away by the heavy impositions of the Tariff. One after another our wholesale houses have suffered, until only two are standing, and it is said that even they require an extension of time. I believe this Tariff has been a heavier blow to us than even the fire. Houses, whose names were as familiar throughout the Province as household words, have had to succumb through the operation of the Tariff. With regard to the exodus of the people, the hon. the Finance Minister asserted that the hon. member for Gloucester (Mr. Anglin) made misleading statements. The contradicted statement of that hon. gentleman was that, in 1877, there were less vacant houses in St. John and fewer unemployed than to-day, while wages were better than to-day. "That was not fair," said the Finance Minister. "He should have said: The great fire took place in 1877, that thousands were therefore employed in works of restoration, increased wages being the result. Now that the city has been re-built, is it to be wondered at that thousands are leaving and that wages are lower?" True, in 1877, after the fire, a great many came to the

city, but not so many labourers as contractors, who came to make engagements to build, trade being dull in the States. By the end of 1878, most of the American and Upper Canadian contractors, with the labourers they had brought, had left. That does not account for the great exodus we complain of. I knew good men, who have been in St. John twenty-five years, attached to the place, obliged to leave, the bulk of the emigrants being stalwart young men and women, inferior to none who have gone to seek a living in the States. I would ask the hon. the Finance Minister whether they did not leave for the Republic, and not the Canadian North-West? Just before the House opened, I took up a St. John, N.B., paper, of March 18th, in which I read:

"ST. JOHN, N.B., March 18.--The steamer *Falmouth*, for Boston, took away over 150 passengers this morning. Out of this number not over a dozen hailed from St. John, the major part of them consisting of young men and women from Nova Scotia, Prince Edward Island and from the country districts of New Brunswick."

Was it the great fire that sent those people away? I am sure that to-day the Census would show that the natural increase of the population would not make up for the loss by emigration. With respect to the recent duties imposed on the country, I will read from the petition in my hands:

"That your petitioners would call attention to the following provisions of the present Tariff as being entirely opposed to their interests, and as calculated to impoverish the city of St. John and the Province of New Brunswick, for the possible advantage of a limited number of Canadians elsewhere, namely:—The duty on wheat, wheat flour, corn meal, Indian corn, and other cereals. The duty on sugar and tea. The duty on cotton and woollen goods of all kinds, including ready-made clothing. The duty on materials used in ship-building; on iron, including pig, scrap and manufactured; on zinc in sheets; and on coal. The duty on books and stationery. The duty on certain carriage materials, namely, second growth ash in planks, and on ash, oak and hickory, sawed in strips, split and rough. The duty on varnishes. The duty on machinery and mechanics' tools. The duty on earthenware, white granite or iron stoneware, and C. C. or cream-coloured ware. That your petitioners also object to the several provisions of the Tariff whereby the duty upon imported goods is ascertained and adjusted by weighing and measuring combined; as causing much needless contestation, delay and expense to the im-

porter, and as adding largely to the cost of consumers, particularly of the poorer class, against whose interests the Tariff practically operates."

This is a complaint from the city and county of St. John. At one of those banquets, the handy Mr. John Boyd said he had spoken to the hon. the Finance Minister as to our position at present, and had been told by him, with tears in his eyes, that he would do what he could for St. John. The people, including the hon. the Finance Minister's best supporters, would tell him, any moment, that every word of the petition was true; that day by day we are being impoverished by this National Policy. I claim that, so far as the principle is concerned, even for the manufacturers, the Tariff is based on no sound principle whatever. Though arguments may be adduced for protection to manufactures, a duty on raw materials is objectionable to this interest. The policy is designed or calculated to build up the interests of a limited number at the expense of the many. With regard to our lumber interest, it is true there is at present a revival, and that we look with confidence to a busy spring; but this advantage is not due to the National Policy, but to the rise in the English markets, and large purchases by English merchants last winter. Without that impulse, the lumber trade would almost have had to be abandoned. On the other hand, everything the lumberer buys is increased in price by the Tariff. One of the largest lumber merchants in New Brunswick, formerly a member of Parliament, who employs 400 men in the woods, told me that his supplies this year cost 25 per cent. more than last year. With reference to our shipping, we heard a great deal last Session about the duties being imposed only to enable a drawback to be granted on ships, and that it would equal the duty. How many times have drawbacks been obtained in New Brunswick and Nova Scotia? So far as I am aware, not once. Some Order in Council was issued, that 50c. a ton would be allowed as a drawback; but, when the hon. the Finance Minister was in St. John, visiting the factories, he was met by a deputation of shipowners and builders, and what did they tell him? They included some of his best friends, who had

voted for him in 1878, and they told him the duties on building materials amounted to \$1.85 a ton, and that \$1 a ton ought to be returned on every ton sent off.

AN HON. MEMBER: What did he tell them?

MR. WELDON: He said: "Write to Ottawa." At a time when we have to compete with the iron ships of other countries, and the greatest efforts are being made, in connection with the navigation of the Suez Canal, to divert trade from our fleets, every ship of 1,000 tons that leaves St. John has to pay \$1,800 in duties, of which \$1,000 is the addition made by this Tariff. I have vainly looked to see where the country was deriving any benefits from this vaunted National Policy. We were told during the electoral campaign of 1878: Only let the hon. Premier be restored to power, only let that party again resume their places on the right of the Speaker, and the prosperity of the country will return. We met last Session, and the prosperity had not arrived; if anything, the condition of affairs was a little worse. It was said that, as soon as the Tariff was brought down, business would revive, and here we are to-day with the prospects of the country nearly as dark as ever. The hon. member for Centre Wellington (Mr. Orton) said last evening that we were unpatriotic because we decry this Tariff. We do not decry it now more than ever we did, because we have always been opposed to it. It is not we who are chargeable with a want of patriotism, but rather those hon. gentlemen who support a policy whose effects are so disastrous to the country. Those gentlemen deluded the people, and made them false promises, to induce them to return those gentlemen to power. The hon. the Minister of Finance, last autumn, visited several parts of the Dominion to observe the effects of his Tariff upon industry. I can only allude to the flying visit he paid in December to the factories in his own constituency. He visited a number of factories there, and left unvisited a great many others. Last year that hon. gentleman said there was a clock factory started in Hamilton, I believe, but we have not heard that he visited it. Did the hon. gentleman visit the Coldbrook Mills, that on the 17th of September, 1878, were flourishing, and from which

the men were taken to the polls to vote for the hon. gentleman, and against my colleague and myself, under penalty of dismissal if they did not? Those mills are silent now. Did he go to the Ashburne Mills, and see his friends who took so active a part in promoting his election? I would like to know the conversation that passed between those gentleman and the hon. the Finance Minister. Did he visit the paint-shops of G. F. Thompson and Son, or the shops of Jones and Emery? I use those names because they were all supporters of the hon. gentleman; but I could mention a great many others. Did he visit the ship-yards of Fraser and Company, of Dunlop, of Lynch, and see what was going on there? The shipbuilding business is the most important one for our city, and when that is gone all other kinds of business suffer. The Protective policy of the hon. gentlemen, instead of cheapening the articles entering into that industry, has augmented the price of every one of them, and crushed the business out of existence. It has fallen upon the tools the workman uses, upon the bread he eats, upon the clothing he wears, upon the blankets in which he wraps himself at night. All these articles have been put under a duty of 40 or 50 per cent., and in many instances are beyond his reach. My hon. friend from Queen's said, last year, wages would increase, and in that he was mistaken. So far, wages have not increased, while all the articles of consumption the workingman has to purchase have largely risen in price, and scores and hundreds of the working classes have emigrated to find refuge in another country. I would ask the hon. gentleman if he visited the marble factories. I will read, with the permission of the House, a letter I received from a plain workingman the other day. He does not use very choice language, but I am satisfied it came from the heart:

"Your attention is referred to my letter respecting unfinished marble, which was always admitted duty free till the cursed National Policy came into operation. The duty on the raw material is so oppressive as to make it utterly impossible to do business till there is a change in the Tariff. \* \* \* The Cape Breton marble is only fit for candy and butchers' slabs; if exposed to the weather in cemeteries would crack, crumble, grow black, and moss over in ten years. \* \* \* Before the National Policy,

there were seven marble shops in this city, and today there are only two at work, and they both did not sell \$40 worth for the last five months. The marble-workers are migrating to the States daily."

There is a letter of a workingman, showing how the National Policy has worked in regard to his trade. The hon. gentleman last year promised that a bolt factory would shortly be established in St. John. To my knowledge that bolt factory has been starting for the last five years. We were told that a cotton mill was to be built, and a million dollars put into it. Now, with regard to that cotton mill, I have a letter from a gentleman, in which he says:

"That cotton mill was only got up to make a split in the county. It is a dead letter now."

Seven thousand dollars out of the million were subscribed for that cotton factory. I was startled the other night by the statement of the hon. member for North Oxford (Mr. Oliver), who said that, while the public debt of the United States was \$46 per head, ours had already reached \$43 per head. At the same time it is well known that our resources are in no way comparable to those of the United States, to enable us to meet our liabilities. I notice that, by the last Census of the United States, over half a million, or nearly one-seventh of the entire population of the Dominion, were put down as natives of Canada. I believe that emigration from Canada to the United States will be still greater this year than it has ever been before. It is time we should look this matter fairly in the face. This habit of denouncing the United States by hon. gentlemen on the opposite side I protest against. What we want is Canada for Canadians and for emigrants. I am proud of being a Canadian, and expect to remain here all my life. No one is more interested in the prosperity of the country than myself, and I do not think we ought to be carried away by unfulfilled prophecies and fanciful delusions. Let us endeavour to reduce our taxation and make this a cheap country to live in, and thus offer an inducement to those who have been obliged to leave us to return and live beneath their own flag, and obviate the necessity of emigrants to this country renouncing their allegiance. By that means we will be able to carry on the business of the

Dominion, and by that means we shall be able to fill up our unoccupied lands. But if we continue, year by year, to increase our taxation, we should not complain if our young people and the emigrants from the Mother Country seek a foreign share and a foreign clime. What we have to consider is the best means of making this a home for our own people, and for those who cross the Atlantic in search of a home.

MR. DOULL: I desire to say a few words on the question now before the House, but before doing so allow me to say that I think too much of the time of the House, at a very heavy cost to the country, is occupied with long-winded speeches, which are very little more than a re-hash of the stump speeches made by hon. gentlemen previously to the last election, and which were again served up to this House last Session. The House and the country are undoubtedly nauseated with them no matter how skillfully they may have been remodelled. The question of Protection as against Free-trade has already been settled by the country in favour of the former, and until the country reverses its decision it is the duty of this House, on both sides, to accept the decision of the country, and assist the Government in carrying out the expressed wishes of the people in the way that to them appears best calculated to promote the general interests of the Dominion. In order to do so it is absolutely necessary to lay aside sectionalism. I regret, however, to find that in this discussion sectionalism shows itself cropping out everywhere. When a gentleman belonging to a certain Province rises, his arguments and statements have reference to nothing but the Province to which he belongs. I think that in a matter of this kind we should rise above our particular Provinces, and look at the question as it affects the whole Dominion. I am aware that there are interests in every Province that the members representing those Provinces have a right to see are respected by the Government in the Tariff they have submitted to the House. But I do not think we should set up the particular interests of one Province as against all the interests of the other Provinces. The hon. gentleman who has just sat down, in speaking of the effect of the National Policy upon the Province that he has the

honour to represent, has said much in regard to which I can agree with him. He has spoken of the National Policy as having driven our mechanics and young men out of the Provinces of New Brunswick and Nova Scotia, and even out of the county I have the honour to represent. I deny that the National Policy has anything to do with the number of persons who are going from the Lower Provinces into the western part of the Dominion and into the United States. It is true that many have gone from Nova Scotia into the western Provinces and the United States during the past year, but I deny that the National Policy had anything to do with it. I have no hesitation in saying that I think the policy inaugurated by the Government is a sound and wise policy. The Government have endeavoured to the utmost of their ability to meet the views of the several Provinces, and it has been a very difficult matter for them to reconcile the conflicting interests of the several Provinces. When I say that, I may state, as a representative of the Province of Nova Scotia, that I am not fully satisfied with the consideration they have given to the industries of the Province to which I belong. At the same time, I believe that the difficulties that they have had to contend with were such that it was almost impossible for them to give us all we asked for. But I have this to say, that, notwithstanding we have not got that protection for the great industry that I have been advocating more particularly in this Parliament which I consider it deserves at the hands of Parliament, I am proud, however, to say that the effect of that duty on that industry has been such as to give us an increased market. When I spoke on this subject last Session, I expressed my dissatisfaction with the smallness of the duty placed on coal, and said that I feared it would not give us a large market. I said, however, that it might to a certain extent increase our market in the Province of Quebec. I am glad to say it has very materially increased our market in the Province of Quebec, and, had it not been for the duty of 50c. a ton, we would not have had a market for one-half of the coal we sold during the past season. That duty has not only retained for us the market we had in the Province of Quebec, but it has given us a largely increased



market there. I may state that, if, in the later part of the season, we had been able to obtain shipping to carry our coal, we might have sent a much larger quantity to Ontario and Quebec than we did. So, instead of the National Policy affecting the coal trade injuriously, it has really affected it very beneficially. I am proud to say that the prospects for the incoming season, taking into consideration the additional duty given us by the hon. the Finance Minister, together with the increased price of coal in the United States, are that we will have a much larger market in Quebec, and I hope a very considerable part of the Ontario market, for our bituminous coal. Hon. gentlemen on the other side have said that the National Policy has materially interfered with the shipping industry. I am interested in shipping, and I would like those hon. gentlemen to point out in what respect the National Policy has interfered with that industry. I am not aware that it has even increased the cost of the construction of vessels. I think that the National Policy has affected the shipping interest beneficially, instead of injuriously, and that it has restored to the Lower Provinces the West India trade which had been previously taken away from us for the want of that Protection necessary to our shipping industry. The mine owners are so much impressed with the benefits that are likely to accrue from the Tariff that they are putting forth efforts to raise a larger quantity of coal than they have done for many years past. And I believe that, upon the opening of navigation, we will be in a position to ship coal in larger quantities than we have in the past history of our coal mines. The hon. gentleman from St. John (Mr. Weldon) has said that, in consequence of the National Policy, merchants and brokers in the city of St. John have been precipitated to bankruptcy and ruin. I cannot, as a business man, see how the National Policy could have that effect. If such is the case, St. John must be an exception, for we have not heard of any other city in the Dominion being similarly affected. He has also stated that the National Policy has seriously affected the lumber interest. It may have done so as far as the cost of getting out the lumber is concerned, but in no other way. I am of opinion that the

National Policy has a great deal to do with the increased price of lumber, and that it has stimulated trade generally throughout the Dominion, and that it has been successful in restoring that confidence in the commercial community which existed before the party now in opposition acceded to power. A good deal has been said by Opposition speakers to the effect that the prosperity promised by the Government before the elections had not arrived. It is childish to expect that that prosperity should come all at once. The country is already in a more prosperous condition than it was before the present party came into power, and I have no doubt that before the end of the year we shall find the country in as prosperous a condition as we can reasonably expect in so short a time as that which will then have elapsed since the present Administration came into power.

MR. BOURBEAU: I am desirous of offering some remarks on the important subject which has engaged the attention of the House for some days. Has the National Policy—in other words, the system of Protection adopted by the present Government—had the effect of increasing prosperity in the Dominion of Canada? Hon. gentlemen opposite maintain that it has not; their speeches tend to show that the affairs of the country are going from bad to worse. I rise to declare that the system of Protection adopted last Session has already produced good results. Intelligent electors can see for themselves that prosperity has increased in the country. Even the electors who sent to this House the hon. members opposite to represent their interests are well aware that many of their products are now selling at more remunerative prices than they did when power was in the hands of the Liberal party. We now see that trade is assuming proportions which inspires confidence in the future. What did we see, barely a year ago, in the villages as well as in the towns of the Dominion? We saw empty houses, real property depreciated in value; and he who was desirous of disposing of a portion of his property was compelled to sacrifice it for a price considerably below its value. And now we see with satisfaction that the value of real property in the country has begun to increase, not very rapidly it is true, be-

cause, as has been stated by the hon. member who has just sat down, the business of the country has been subjected to such extreme depression that the National Policy has not yet had time to produce the effect of increasing the value of property to a considerable extent. But, if, while hon. gentlemen opposite governed the country, from 1874 to 1878, we saw the value of property diminish from year to year, until a proprietor could no longer sell for more than two-thirds of the value, the same rule applying to the letting of property, is it surprising that it takes a little time for the country to awake from its dejection, and will not hon. gentlemen of the Liberal party have the patience to wait yet a little longer until the country again attains that prosperity which we enjoyed when those hon. gentlemen were called to power. Now, owners find tenants for their property, and in our manufacturing centres we see great preparations going on for the reopening, to the great satisfaction of unemployed artisans, of factories which have long been closed. In the county which I have the honour to represent, the putting in force of the National Policy has produced good results, and I say so with the knowledge that my words will be recorded in the archives of Parliament, and that I may be reminded of them hereafter, and asked whether I stated what was the truth. I say, and I say it with satisfaction, that the electors of my county, even those of them who are in the habit of voting with the Liberal party, see and acknowledge that prosperity is beginning to reign in the land. They acknowledge that the aspect of affairs is brightening, and they attribute that fact to the policy of the present Government, without fear of injuring their party. We have seen trade receive a considerable impetus, and those of our farmers who engage in lumbering operations are actively occupied in getting out saw-logs, and in putting in order the saw-mills which will convert them into planks and boards in the course of the coming summer. We have, in the counties of Drummond and Arthabaska, extensive sawing establishments, which for the most part for some years past have been idle, and such is especially the case in the village where I reside. Now, only yesterday, I heard it stated in this House by hon. gentlemen opposite

that the lumber trade was not prospering in the country; it was admitted that there was a considerable foreign demand, and it was contended that, if the lumber trade was beginning to improve, it was not in consequence of demand arising in this country. But I can state that on the Arthabaska piling grounds for some years past there stood several million feet of lumber, and, although it was not of a nature to be shipped abroad, not being of merchantable quality, yet the piling grounds are now empty; the lumber, in the course of last summer, was sold for a reasonable price, and sent to Quebec and Montreal, to be used in the construction of new factories and other buildings of a like description. I may point out that proprietors of factories at Montreal and Quebec have made extensive additions to their buildings, and have sent in heavy orders for lumber, thereby giving us an opportunity of clearing our piling grounds of wood which was in a fair way to become valueless, and at the same time to make room for new lumber of a superior quality. But not only have we the satisfaction of seeing our wharves relined thus rapidly, but we have also the prospect that later, when the mills are in full operation and activity, workingmen will find employment at remunerative wages, and be enabled to live in comfort and abundance. It is well known that for several years past the poorer classes in the country districts, and in towns and cities, have been a burthen on the wealthier class of the community, no one being in a position to utilise the labour of the poorer classes. The latter were, nevertheless, most anxious to earn enough to support their families, but found it useless to look for employment, which was not to be found. It is, therefore, most gratifying to witness the large amount of logs sold this winter, and the mills getting ready to cut them up, when we know that hundreds of families derive their means of support from those mills. This will also stimulate trade and secure for the farmer a reasonable price for the produce of his land. The railway companies, shipowners, and all those whose business it is to carry the lumber to foreign markets, will be greatly benefitted. The agricultural classes will also benefit largely, because they will find a market for their produce in the manu-

facturing centres. I can testify that from 1867 to 1874, when trade was brisk in Canada, and we had so many mills in operation, our farmers had a good profit on their grain and other products they had for sale. Then prosperity reigned in the country; the farmers were contented; the labouring class found employment, and trade was in a flourishing condition. But, since 1874, when the policy of the Liberals, by the effect of their ruinous Tariff, closed the doors of the manufactories and turned the workmen out upon the streets to starve in idleness, we have had farmers, labourers, mechanics, and traders, uttering complaints and condemning the policy of the Liberals as the cause of their distress. The National Policy adopted by the present Government has intervened to put an end to that distress, and I can testify that that policy has been most cordially approved of. When I visited the electors of Arthabaska and explained the Tariff to them in detail, they manifested the greatest satisfaction. The electors of the united counties of Drummond and Arthabaska have always been in favour of a National Policy; they have always supported a policy of Protection. When in 1871 the hon. member for Quebec East (Mr. Laurier) stood for those counties, he himself accepted also, notwithstanding his other political principles, the doctrine of Protection, and, in consequence of so doing, gained a splendid victory, having been elected by a majority of over 800 votes. Does not that clearly prove that the electors of those counties were in favour of the policy of protection? In 1877, when I offered myself as a candidate before the same electors, I myself adopted the same policy. I spoke publicly in every parish in the two counties, proclaiming the advantages of Protection, and the electors, notwithstanding that the gentleman who then represented them had just been called to fill an important position in the Government of the day; notwithstanding this, and because he had renounced his policy of protection, because he had failed to grant Protection to the farmer, to the manufacturer, to the workman and to the trader, the electors rejected him and elected the candidate who had declared himself to be in favour of the National Policy. I had the honour of being elected then to a seat in this

House. During my first Session in this House, the hon. the leader of the Opposition of that day presented to the House a motion calling for the adoption of a National Policy, for the purpose of promoting the interests of trade, agriculture, and our national industries, and of more fully developing the wealth of our forests and our mines. I had the honour to vote for that motion, though it was not adopted by the House. In 1878, we went to the electors on the principles asserted in that motion; we adopted a policy based on that self-same motion of the hon. the leader of the present Government, and from end to end of the Dominion of Canada the electors endorsed that policy by an overwhelming majority. About that time the Eastern Townships were honoured with a visit from two eminent gentlemen, I mean the hon. member for Lambton (Mr. Mackenzie) and the hon. Minister of Finance of the day (Sir Richard J. Cartwright). Those hon. gentlemen thought proper, on the eve of the elections, to travel through the country, from one end to the other, in order to show their faces and declare their policy. Mr. Speaker, I think, if anyone ever desired to be thanked, we owe a debt of gratitude to those gentlemen for having come into our counties to hold public meetings as they did. Still, I do not thank them, for they had no intention of benefitting us in the manner they succeeded in doing. No sooner had they exhibited themselves in our townships and set forth their policy, than the electors were enabled to come to a decision, and determine that they should not vote for the policy of those hon. gentlemen. I think they produced a like effect in the other parts of the country visited by them. When those gentlemen went all over the country during the General Elections, they had no idea of the harm they were doing to themselves. In the same way now, when they are delivering speeches in this House against the National Policy, they are unable to see the result of those speeches. I myself reside in the country, and having had daily opportunities of meeting a large number of the electors, I know that all but those who are inveterate partisans, acknowledge the benefits of Protection; all but these admit that the policy of Protection has produced the happiest

results. It is asserted that the prices of products generally have been raised to the consumer. Hon. gentlemen opposite are striving to convince the people that the effect of the National Policy is to increase the burthen of the consumer. Now, in reply to that, I would say that the prices of articles of consumption has not changed much. Being in trade myself, I am in a position to mark the fluctuations in the prices of the various articles of merchandise and produce that enter the country. I am in a position to state that the prices are not such as to ruin the agricultural class and the working class. In the first place, tweeds manufactured in this country have not increased in price, but rather diminished. I maintain that tweeds have never been as cheap in this country before as they have been of late. Thanks to the encouragement given to our manufacturers by the National Policy, the latter now offer us a more abundant variety of patterns, they furnish us a superior quality of article, and are striving to furnish threads of equal quality and pattern to those we used to get from Scotland. We have quite a number of manufacturers in this country well able to stand competition in the article of tweeds with the most skilful manufacturers in other countries. And, if, thanks to the policy of Protection, foreign tweeds can no longer compete with those manufactured by us at home, how can it be said that the consumer is obliged to pay dearer for his tweeds? But the most important point is that tweeds manufactured in this country are infinitely superior in quality in many cases to those imported from abroad. Our home-made tweeds are made of good wool, honestly, and in such a manner as to render good service to the purchaser. The tweeds which come to us from Europe are often made up with shoddy and cotton; they are imported by jobbers, and are only suited to deceive the purchaser and cause him to lose his money. But when tweeds manufactured in this country are bought, then good cloth is had for the money, made of the wool of the country; the manufacture of which yields a profit to the manufacturers and satisfaction to the buyer. The farmer also is befriended by the National Policy, because he sells to greater advantage his wool, which enters into the manufacture

of tweeds. We find that wool is selling to-day 10c. dearer than last year. There may be some articles, which the farmer does not produce, which have increased in price, but this is certainly not owing to the National Policy. It is alleged that the price of sugar has risen on account of the National Policy. Well, never for twenty-five years have we bought syrup so cheaply as we did last summer. In Canada, our country merchants have never been able to buy syrup for less than 35c. to 45c. per gallon; but last autumn only from 27c. to 30c. per gallon was paid for syrup of the first quality coming from Bermuda, syrup which is highly prized by the consumers in Canada. I spoke, a few moments ago, about the tweeds. I can say as much for the cloths which are manufactured at Montreal, thanks to the National Policy. Up to a recent period we imported a great quantity of heavy cloths, which were used to make overcoats and other garments necessary in the rigorous seasons. Well, Mr. Speaker, we have at Montreal cloth manufactories which turn out better fabrics than those which reach us from abroad. Inasmuch as the manufacturers of Montreal have not to pay transport and Customs duties, as the importers do, and, furthermore, as they have not to pay Customs duties upon the raw material, they are enabled to sell cloths cheaper than the importer can do. This also is due to the National Policy. This is the advantage gained by Protection. By buying cloth produced in this country rather than cloth imported, one acts in a patriotic manner; by so doing encouragement is given to the industries of our own country. I may bring forward another important argument. Last autumn our counties were overrun by the agents of manufacturers of axes, scythes, and other farming implements, in order to introduce their commodities. Now, we have in our own country immense manufactories of implements of this kind, which can defy foreign competition. Our farmers generally look out for agricultural implements made in this country, finding them to be of good quality. Last autumn a duty of 35 per cent. was imposed upon tools coming from foreign countries. In order to prove to the gentlemen of the Left that this duty of 35 per cent. has not increased the price of these articles, I may

mention one fact. It is this: that the American manufacturers, wishing to injure the Canadian ones, come and offer us their axes and their scythes at the same price that we can procure them from Canadian manufacturers; and furthermore, they offer to pay the freight and the Customs duties into the bargain. One day I was about to give an order for axes and scythes to a manufacturer in the Province of Ontario, and on that very day there came into our townships a manufacturer from the United States, who offered to sell his goods at the same price which the Canadian manufacturer had offered them for, and he undertook, besides, to pay the duties at the port of entry and to pay the freight also. Nevertheless, we bought these goods cheaply. We purchased them on more favourable conditions than during the previous year. It is evident that the Americans took advantage of us, thanks to the policy inaugurated in 1874 by the Liberal Government; they discovered a veritable bonanza in this country of ours, and for a long time they have secured exorbitant prices for their goods, after having caused our manufactories to shut down. In the case I have mentioned, like a good patriot, I refused the offers made to me by this American agent, giving the preference to the Canadian manufacturer, because I wished to encourage Canadian manufacturers, in order to provide employment for the workmen, and to make families happy who would not be so if we went for our supplies to foreign countries. By acting in this way, we likewise encourage the agricultural class, who find in the manufacturing centres a ready market for their products. Were I to give advice to the hon. members of the Left, I would say to them: If you do not wish to do wrong, discontinue speaking ill of the National Policy; cease to disparage a thing which all electors, including your own, acknowledge to be profitable, not only to themselves, but to all the inhabitants of this country; your supporters, who are selling their produce at a dearer rate to-day than they did last year, are able to form a correct opinion of the opposition you are making to the National Policy; the farmers, who to-day are selling their butter at from 15c. to 20c., 22c. and 25c. the pound, while last year they only sold it at 8c. or 10c., who are

selling now their pork dearer by one or two dollars the hundred pounds, cannot be deceived as to the effects of the National Policy, and you cannot make them believe that their profits at the present moment are not more advantageous or greater than those made last year. Well, it is the same thing as respects the greater part of agricultural produce; it acts in a similar way for all classes of society. Never in the Eastern Townships did we see a more lively trade than that prosecuted in the months of September, October, November and December last. We saw then, throughout all parts of the country, agents buying grain, buying live stock, and other agricultural produce; and, what was better than all, the agents carried sufficient money to pay cash for what they bought, and the farmers were able at once to secure the price of their property, which they were never in the habit of doing for several years previously. Before the adoption of the National Policy, the farmers endeavoured in vain to sell their produce for cash; they could hardly sell it on credit even. And yet, notwithstanding the fact that trade has revived, that payments are made more easily, and that business is more brisk, I hear every day members of the Opposition stating that the National Policy has ruined the affairs of the country. Am I not right in saying, Mr. Speaker, that, if I were to offer them advice, it would be: Refrain from speaking against the present policy of the Government; because the electors follow their movements closely, they hear them, they read their speeches, and they are in a position to pass judgment upon them.

MR. ROBERTSON (Hamilton): I propose to make a few remarks in reference to the question which is engaging the attention of this House. I confess that I would much prefer doing so at a later hour of the evening; it is not satisfactory to make a speech to a House, naturally reluctant to hear a young member, and particularly when, at the beginning, it must be broken in upon by Recess; but, as it appears there is no disposition to continue the discussion by other hon. members at this time, I feel it incumbent upon me to offer a few reflections on the subject now under consideration. I do so with some reluctance, because I feel that the question has been pretty fully and minutely discussed already. I cannot

say, however, that it has been fairly considered by the hon. gentlemen who occupy the Opposition Benches. One would suppose that the spirit of patriotism, which pervades the breast of every lover of his country, would be so deeply implanted in the constitution of every gentleman who occupies the proud position of a representative of the people in Parliament, that it would be his last resort to detract from the importance of the country, or to make little of its effort towards material progress and national greatness. But we know it is said "we live and learn," and we have learned to know that,—although we had, through the Session of 1879, the views of hon. gentlemen opposite antagonistic to the policy, which the country pronounced itself so decidedly in favour of on the 17th September, 1878, these hon. gentlemen are still dissatisfied, and we find them, after a year's experience, still loudly denouncing that policy; although Sir, their chief leader, the Hon. George Brown, as I shall show, declared from his place in the Senate that the National Policy should have a fair trial at the hands of the party. If these gentlemen were honest men, and desirous of doing that Policy justice, they would now freely admit that it is gradually and surely raising the country from the "slough of despond" into which the hon. gentlemen opposite had plunged it. In discussing the question, it is necessary to make some reference to what the state of the country was previous to and during 1878. We found it, then, in such a depressed condition, that it was a difficult thing for artisans to get employment. We found it completely prostrated. We found large manufactories shut up and capital lying idle. We found artisans and skilled mechanics willing to settle down to the ordinary work of common labourers, in order to get the means of keeping body and soul together. That was the state of things when the late Government were sitting here in full power, and, as they flattered themselves, in full possession of the confidence of the people. We found those gentlemen, who possessed, or ought to have possessed, a full knowledge of the state of the country, declaring that they could do nothing—declaring their utter inability to do the first thing to place the country in a proper position or

to give a helping hand to avert the impending issue. That idea went abroad throughout the width and breadth of this Dominion, and people began to enquire: Why have we a Government? For what purpose have we a Government at all? That question was asked; and the Conservative party felt that it was high time to bestir itself. Sir, that party then occupied but a small corner in this House; but they were a little band of heroes; they, it is true, occupied that corner, which is now so much more properly filled by the gentlemen opposite. Well, Sir, the Conservative party responded to the call of the suffering country, they struck the chord of public sympathy, and, like true statesmen, perceived what the country required, what the necessities of the case demanded. They were received with open arms, and, in the short space of eight hours, they hurled the incapables from place and power. They left that Government and their adherents to wallow alone in that same "slough of despond" which they themselves had created. We have heard a good deal about depression; we have heard from the members of the Opposition of nothing else but depression; we have heard of it and nothing else, ever since the people left them to their wretched fate. And why need we wonder that these hon. gentlemen should speak so much of depression? Are they not depressed? Is there any chance of their ever being in any other state so long as the people of this country keep them where they are? No, sir. They are utterly crestfallen; they see the country through the highly-smoked glasses of their own depression; they cannot see the sun shine through the clouds of their despondency; they are unable to console themselves with the faintest ray of hope that the day will ever dawn to usher them to the Treasury Benches. That being the case, of course we must expect, and be prepared, to hear from hon. gentlemen some of the most extraordinary tales of suffering and destitution, of misplaced confidence and broken promises, that ever were invented, imagined or came to pass. It is no new tale, however, for Canadians to listen to; for twenty long years the same system of detraction and villification was resorted to by hon. gentlemen opposite and their organs when they

were in the cold shades of Opposition. It is the same old system revived; it was a system then, as it is now, of malignity and atrocious falsehood and villification. Everything was said and done that could be said and done to belittle the country and ruin its leading statesmen in the eyes of the Mother Country and the world—to pull us down and keep us down was apparently the great object of their ambition. In the course of time, by the foulest of means, they did obtain power. The people were wofully deceived, it is true, but that was nothing. The leaders had the reins of Government, and they governed us accordingly for five years, during which time the people received such a lesson that they will not soon forget it. The country was all but ruined, and was, year by year, going to destruction; but the time, came when the people showed their abhorrence of such a Government, but it was only in the effluxion of time, for the hon. gentlemen, having got possession of the Treasury Benches held on to power as long as possible, governing in a manner to which it is not necessary for me farther to refer. After crying out for twenty years: Give us the reins of Government; give us an opportunity of carrying on the affairs of the country and we will show you such a state of affairs as was never seen before; they got the reins of Government, and we did see a state of affairs—such a state of affairs as we had never seen before. No one ever dreamt of seeing such a state of affairs as we saw during the Administration of the hon. member for Lambton (Mr. Mackenzie), and, I may add, no one wishes to see a recurrence of that state of things. I might go on and say how it was they gained power, that it was by the treason of many sycophants, who turned traitors and became rats, deserting the political ship—men who had fawned on those who had warmed them into political existence. But well understanding the material of which they were made, the leaders of the Grit party knew that they could not trust them in their hour of need; and they planned what has been justly characterised “a midnight attack.” The House must be purged, they said, it had been elected under a corrupt Government. They succeeded in carrying out their atrocious plan, and they were return-

ed here with an overwhelming majority. Results show too well how they obtained it; and, having done so, how they availed themselves of the misplaced confidence of the people. That great standard of “purity” which they hoisted and carried through the length and breadth of the land was found to be spurious. It was pulled down by its own godfathers and trampled in the dust. Well, Sir, as I have stated, the country rose in its might and drove these gentlemen out of power, and placed better men, I am happy to say, in their positions. Thus much of bygone times. Now, Sir, for the present; and permit me to say that I do not know that I would have said anything with reference to this question had it not been for some of the remarks I have listened to, and which have been made by hon. gentlemen opposite. They have singled out the city which I have the honour to represent as being one worthy of notice. The hon. member for North Oxford (Mr. Oliver) was kind enough to speak of it in a manner that led one to suppose that, if there was one spot in the Dominion which should receive benefits from the National Policy, that spot was the city of Hamilton. Yes, Sir, and by way of showing why it should have improved, and how it had not improved, he had the goodness to read a small paragraph from that most veracious of all sheets, the *Hamilton Times*. To show how utterly destitute, how hard up the hon. member for Oxford was for an example to exemplify the want of prosperity in Hamilton, and how little the National Policy had done for that great manufacturing centre, he had to resort to that most unreliable authority, namely, the columns of the paper I have already alluded to. It is there recorded, he says, that during 1879 there were in the city of Hamilton 528 empty houses and that in 1878 there were only 377. Now, I say that that is like not only a great many other assertions taken from the same source, but like a great many that have been made on the floor of this House. It is possible that there are now 500 empty houses in that city, but before you can draw an unfavourable comparison, you must show how many there were empty in 1878. I deny that there were only 377 empty houses in Hamilton in that year. I have no doubt I can safely say here, and I believe I will be vindic-

licated by an actual count, that there were more empty houses in the city of Hamilton in 1878 than there are at this day, taking into account, as I submit in all fairness you must, the scores of houses that have been built within that city in the last year. And what class of houses have been built there? First-class, not little tenements 18x20, such as the hon. gentleman is accustomed to see in Woodstock, but handsome, well-constructed dwellings, with all modern improvements, showing clearly to my mind, and to every dispassionate mind, that the means of the people are becoming improved. We cannot doubt this when we see them leaving the houses of a more ancient construction and taking up the modern edifices with all the improvements of the present day. Now, Sir, I think hon. gentlemen should not make such a parade about empty houses, in any manufacturing centre, because the question arises: How did they become empty, and why were they erected in the first place? They were erected when the right hon. the leader of the Government was formerly in power, when the exchequer was overflowing, when times were good, when every mechanic could find labour at his hand, and was working full time, and had his well-earned wages always ready for him. It was thought that there was room for additional houses then, and that scores of families would be ready to take up their abode in them, and gentlemen who had means at their disposal fancied that they could see that these good times were on go on and continue, and they were induced to put up houses to be occupied, not by men of means, but by the artisan class, who were then flocking into all the centres of industry; and these houses at that time were fully occupied, and empty houses could with difficulty be found in the city of Hamilton. But what a change came. In 1874, after the General Elections, when the hon. gentlemen opposite obtained power, and began to promulgate their policy, these houses came, year by year, to be less and less occupied, until, in 1878, there were not much less than 500 empty dwellings, I will venture to say, in that city. But that is all changed now, and I propose to show before I finish that the city of Hamilton is now in a flourishing condition; and that its prosperity is a mere indication of the prosperity of the whole Dominion, and that it is due to the National Policy. However, before advertising to that portion of the remarks I intend to make, I propose to address myself to the consideration of another statement which has been made by some hon. gentlemen, and that is this: It is said here by hon. gentlemen now, as it was said during the last Session, that the Government had obtained power by the false representations of the leaders of the party—that the people were humbugged and befooled, as it were, in putting confidence in the Conservative party—that they, the people, had been induced to accept a policy of which they knew nothing, and they said that the local elections in Ontario settled that question, and proved their assertion to be perfectly correct—in fact, that the election which took place on 5th June last, showed conclusively that if the electorate had the power then they would have reversed the vote of the 17th September, 1878, by an overwhelming majority. That statement was made by the gallant knight for Centre Huron (Sir Richard J. Cartwright); it was repeated by the hon. member for Lambton (Mr. Mackenzie), and reiterated by all the supporters of these gentleman. What was the fact? When the elections came round, I am quite prepared to admit, that the Conservative or Protectionist party, felt that it would be a great gain for them to wrest Ontario from the Mowat Administration, and the Conservative party was prepared to take up the gauntlet thrown down in this House by the hon. gentlemen opposite, and go before the country on that issue,—but could you get the Grit press to do anything of the kind? Could you get Mr. Mowat or the supporters of the Mowat Administration to take that question up and make it the issue? Not a bit of it. I admit that the Conservatives thought it dangerous to have a gentleman like Mr. Mowat, who was in accord with Mr. Mackenzie's Administration, and who travelled from one end of Ontario to the other with that hon. gentleman, making himself conspicuous on every platform in the Province as a most ardent supporter, returned with a majority at his back. We felt that they would have power to do a great deal of



evil, and that it would be better if the Dominion and Local Governments were in accord, so far as the National Policy was concerned; and every effort was made on the part of the Conservatives to raise that issue.

MR. OLIVER: Hear, hear.

MR. ROBERTSON: The hon. gentleman says, "Hear, hear." Has he the temerity to say that the Reform party accepted that issue?

MR. OLIVER: We did.

MR. ROBERTSON: Nothing of the kind. I believe they did in Oxford, but that was certainly a nice place to try the question. "We did," because "we" thought "we" were all right there; but where there was the slightest chance of there being a difference of opinion, "we didn't." But as to the question in the city of Hamilton, the hon. gentleman read a resolution that was passed at a convention of Conservatives previous to bringing out their candidate, which declared that that was their policy. But did the Opposition have the courage to say: "We accept that as the issue. You took this city under false pretences before. You made a midnight charge upon us, and took us by surprise when we were asleep, and we are prepared to show you now that Hamilton is not for Protection, but for Free-trade?" Not a bit of it. I will give some evidence on that point, which, I think, will clinch the matter. I hold in my hand the address of the hon. gentleman who ran in the interest of the Mowat Administration in Hamilton, Mr. J. M. Gibson, a talented young lawyer, who succeeded in carrying the city. He commenced his address to the people in these words:

"The true issue before the people of this Province at the present time, and which you are to pronounce upon is, whether the Government of the Hon. Oliver Mowat has by its past record established a claim to a renewal of public confidence, or whether that confidence, having been forfeited, they should be compelled to give way to a new Cabinet, with Mr. Meredith, of London, as its head."

That was the bugaboo—"Mr. Meredith, of London." He was to be the gentleman, residing in London and not in Hamilton, who was to frighten the electors of the latter city from voting against Mr. Gibson. There are sixteen paragraphs in Mr. Gibson's address, but not one of them touches upon the National Policy.

MR. ROBERTSON.

But what does his organ say? Giving him credit for being discreet enough to say nothing about that question previous to his address, which, I think, was published on the 20th May, I find in the *Hamilton Times*, that veracious paper I spoke about a minute ago, a short paragraph to this effect:—

#### FREE TRADE vs. PROTECTION.

"Our contemporary (the *Spectator*, May 19th) is rapidly acquiring the peculiarities and characteristics of Rip Van Winkle—presumably asleep for many months. The *Spectator* has apparently not heard that during its slumber the 'National Policy,' that grand ultimatum and *ne plus ultra* of every Protectionist, has ceased to be for a time a living issue, having from a burning and exciting theoretical question, become merged in the rugged reality of an Act of Parliament. If the *Spectator* \* \* \* \* \* desires to continue the warfare, let it postpone the battle until at least the legitimate practical issues now before the electors are disposed of, etc."

I think that is a little in advance of the address; but when we turn to the next issue of the paper, we find an editorial eulogising the candidate highly. The article reads:

"We have great pleasure in calling the attention of every elector in Hamilton to the address to the electors \* \* \* issued by Mr. J. M. Gibson, \* \* \* we think \* \* \* that he will admit, that as a manly exposition of a liberal candidate's views upon the record of the Government" (Ontario Government) "and upon the live issues of the day, it could not have a superior."

So far, I have spoken with reference to that question, and after recess I shall enlighten the hon. gentlemen who occupy the Opposition Benches, and who have spoken so much and so eloquently thereon, as to whether it was or was not "the live issue in the June elections," in a way that will satisfy any impartial mind. I shall show that "we did" not raise that question, because "we did" not dare to take up the gauntlet.

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

#### After Recess.

#### PRIVATE BILLS.

#### THIRD READINGS.

The following Bills were severally read the third time and passed:—

Bill (No. 25) To authorise the establishment of Superannuation, Provident and Insurance Funds by the Great Western Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 35) Respecting the Niagara Grand Island Bridge Company.—(Mr. McCarthy.)

Bill (No. 17) To incorporate the Bell Telephone Company of Canada.—(Mr. Kilvert.)

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed :—

Bill (No. 33 To amend and enact as amended, the Act incorporating the Dominion Grange of the Patrons of Husbandry of Canada.—(Mr. McCallum.)

Bill (No. 40) To incorporate the Mail Printing Company.—(Mr. McCarthy.)

Bill (No. 29) To amend the Act intituled an Act to incorporate the Anchor Marine Insurance Company.—(Mr. Cameron, South Huron.)

Bill (No. 5) To amend the Act 36 Victoria Chapter 108, intituled an Act to grant additional powers to the Quebec and Gulf Ports Steamship Company.—(Mr. McGreevy.)

SECOND READINGS.

The following Bills were severally read the second time :—

Bill (No. 73) To amend an Act respecting the Port Whitby Harbour Company.—(Mr. Kirkpatrick.)

Bill (No. 78) (from the Senate) Intituled an Act respecting the President, Directors and Company of the Bank of New Brunswick.—(Mr. Burpee, St. John.)

Bill (No. 79) To incorporate the Souris and Rocky Mountains Railway Company.—(Mr. Boulbee.)

NORTHERN RAILWAY COMPANY ACT INTERPRETATION BILL.

[BILL 76.]

(Mr. McCarthy.)

SECOND READING.

Order for second reading read.

MR. ANGLIN: I think it would be better to delay this Bill until the hon. member for Lambton and other hon. members interested in its provisions are present.

MR. MCCARTHY: The Bill is merely to declare the meaning of the 12th section of the Act of 1877, saying that these shareholders are to vote separately, and not with the bondholders and other stockholders. I see no reason for delay.

MR. ANGLIN: This is much the same as the Bill of last Session on this subject.

MR. MCCARTHY: No; this Bill is designed to declare that the intention of the Act of 1877 was that the private shareholders should vote separately, and be entitled to a director representing themselves.

MR. CAMERON (North Victoria): I have another objection to the second reading besides that of the absence of the hon. member for Lambton and other hon. members interested in this Bill, namely, that it seeks to introduce a vicious principle of legislation, in making this Parliament a Court of Appeal from the ordinary Courts of the country, to try legal questions. This Bill is nothing more or less than a writ in the nature of a *quo warranto*, setting forth that one gentleman, the rival of another, should be declared duly elected instead of him to the board of directors of this company. The Bill proceeds on the assertion that such and such a thing was the intention of the Act of 1877. This assertion I totally deny. If the parties concerned in this case cannot vote as private stockholders they cannot vote at all. This Bill proceeds on the assumption that they have no right to vote at all, or to any representative on the board. If what the author of the Bill states as to the intention of the Act of 1877 be correct, which I deny, let the parties in favour of this view take proceedings in our Courts. Do not let us turn this House into a tribunal to try contested elections in a private company. Objection should properly be taken to this Bill now; it should be allowed to stand until the hon. member for Lambton, who knows best the intention of the Act of 1877, is in his place.

MR. MACMILLAN: I remember very well, when this Bill of 1877 was passed, that it was almost universally understood in the Committee that the original stockholders should have a representative and one director on that board. Those stockholders got up the company and put their money into it, and, with the present arrangements, unless some explanation is given with reference to this Act, they will have no representative on the board. The managing director, who ought to be the servant of the stockholders, controls stockholders, directors and the whole board. It is very little that the original stockholders ask—one representative or director on the board—which I have no doubt it was the intention of the Act of 1877 to give them.

SIR JOHN A. MACDONALD: I really do not know whether these share-

holders have a right to a director or not, but the discussion already commenced shows the necessity of this Bill going to the Committee on Railways, which is the only authority for the settlement of the question, after hearing both parties. I can see no object in delaying the measure.

Bill read the second time.

#### WAYS AND MEANS—THE TARIFF.

##### ADJOURNED DEBATE.

House resumed the debate on the motion for concurrence in the resolutions, reported from Committee of Ways and Means (March 9th).

MR. ROBERTSON (Hamilton) : When the House adjourned, I was reading some extracts from a Hamilton paper in proof of my contention that the National Policy was not an issue in the late local elections, and I propose now to continue that course. I wish, if it is possible, for ever to set at rest this question ; although I may have but a vague hope in that respect, knowing with whom we have to deal. We know that the snake is often "scotched," but it is not always killed ; and so long as hon. gentlemen can find time to get up in their places and address the House, and so long as the Grit press throughout the country announces the fact, it will be stated hereafter, as we have it stated now, that that was the question in Ontario, and that the people of Ontario reversed their verdict. Now, I propose to set that matter at rest, and to prove it out of the mouths of hon. gentlemen opposite and from the columns of their own press. I propose to read still from the paper called the *Hamilton Times*. That paper stated, on May 21st :

"We had hoped that when Mr. Hugh Murray ascended the public platform, he would have condescended to have informed the electors of Hamilton as to why it is he seeks to pull down Mr. Mowat and set Mr. Meredith, the Londoner, up in his place. But we have been grievously disappointed. Last night, at his first public appearance, Mr. Murray repeated his tactics of the night he was nominated. \* \* The nonsense he talked about the National Policy, which is not an issue at all, completely disgusted those of his friends who are not working for him in the hope that Reformers will be turned out of office by Mr. Bowell to give them warm berths at the public expense. Mr. Mowat has no control over the 'N. P.' or anything akin to it, and it is the veriest rubbish for an intelligent man to stand up before intelligent electors and tell them anything else."

I hope the hon. gentlemen opposite will

SIR JOHN A. MACDONALD.

take the hint and not talk any more "nonsense."

"The workmen of Hamilton are not the simpletons Mr. Murray evidently gives them credit for being. They know that we have the 'N. P.' for five years at least, and that it will have a fair trial. They understand they have nothing to fear from the Reform party in that behalf."

Now, what I object to is that they are not carrying out their promises in that respect. They are not giving the "N. P.," as they chose to call it, a fair trial. They detract from it in every way possible, not only in their places in this House, but throughout the press. Then, Sir, on the 22nd of May, we find that this same paper made use of these remarks :

"It is the fashion for the Tory canvassers to cry out 'George Brown!' to the electors of Hamilton, as if he or his name were a patented bug-a-boo calculated to frighten them to vote at any or all times for the Tory party. It is just now being circulated that he is doing all he can to destroy the 'National Policy' and ruin Canada. This is a very favourite cry in Hamilton, where, as the *Spectator* seems to think, there are people who imagine that the names of Mr. Brown and his newspaper are synonymous terms for the arch enemy of this city. Would it greatly surprise these people to know that in a speech in the Senate upon the Tariff, Mr. Brown, while he exercised his right as a citizen and a legislator to criticise that measure, said :—'I hope that the right may succeed, and that the good times will return. I shall not say a word that would prevent the Protectionists having a full chance to show what they can do by their policy.'"

I ask hon. gentlemen if they themselves will tell us now, in the face of this, that the Hon. George Brown is carrying out that policy? Is he not, on the contrary, using the influence of his powerful organ for the purpose of preventing it from receiving a fair trial? Hon. gentlemen may say, "Oh! that is only the *Hamilton Times*." Well, I admit the *Hamilton Times* is not the most veracious authority, in fact, I am willing to admit that it is the most scurrilous and unreliable newspaper published. I have said that before, and, in order that there may be no doubt as to the correctness of the position taken by me in this matter, I beg to refer to the reports of the speeches made by the Hon. Oliver Mowat when he was on his missionary trip through Ontario, to make good the ground he thought he was losing. The hon. gentleman made a speech in the city of Hamilton in reference to this policy, showing conclusively to my mind

that he did not dare to take up the question either in Hamilton or anywhere else, and make it a test question before the electors. Mr. Mowat on that occasion said:

"The great reason which is urged, why the people of Ontario should withdraw their confidence from us on this occasion is, that on the 17th of September last, the majority of them declared in favour of what is called the 'National Policy,' (Hear, hear and cheers,) and it is urged that, having expressed that opinion then, they should vote against us now. I accept the compliment which is paid to the present Government in urging this as the prime reason why the confidence of the people should be withdrawn from us, because it shows that our opponents feel that they have no solid ground on which to object to the present Government. (Loud and prolonged cheering.) This shows that on all matters which ought to be taken into account, that they are very weak, and they are afraid that the people will see and feel and pronounce that they are weak. Therefore it is that they ask you to bring in an element which ought not to be introduced here, and which ought to have no bearing on the matter which you are about to decide. (Hear, hear.) The question of a 'National Policy' is one with which the Provincial Legislature and the Provincial Government has nothing to do, and which they cannot influence in the slightest degree. \* \* \* We have no jurisdiction whatever over the Tariff. We can neither put on nor take off duties. We cannot interfere in any way with the action of the Dominion Government nor with the action of the Dominion Parliament upon that subject. \* \* \* The Dominion Government, as I have said, has a majority of from two or three to one in the House of Commons at Ottawa. They have a large majority from every Province but one in the Dominion and they have that majority secure for five years. If with all that advantage, if with the advantage of that enormous superiority in numbers in the House of Commons—a superiority secured for five years—the 'National Policy' would be endangered by the Ontario Government not being in political accord with the Administration at Ottawa, then there must be certainly something very wrong either about the Government at Ottawa or about the 'National Policy.'"

So much for Mr. Mowat's own statement. I need only now refer to the nomination speech made by Mr. Elliott who nominated the hon. gentleman. Mr. Elliott made it quite plain as to whether the question of the National Policy was to come up before the electors on that occasion. Everyone in Ontario knows, at any rate those who reside anywhere near the city of Toronto know, that Mr. Elliott was and is a life-long Reformer. His father was a Reformer before him. Mr. Elliott is a true Reformer, not of the

class of so-called Reformers which we have here. He is a man willing to sink party differences and personal squabbles, and act for the general benefit of the country. Mr. Elliott gave his thorough support to the party at present in power in this House, and at the same time he became the nominator of Mr. Mowat when he was offering for East Toronto, in opposition to my hon. friend the Hon. Mr. Morris. Mr. Elliott said:

"He proposed Mr. Oliver Mowat as a fit and proper person to represent the Division in the Legislative Assembly. In doing so he said that if the questions now before the electors had reference to Dominion politics, he would heartily and fairly support Mr. Morris, and just as heartily and fairly oppose Mr. Mowat. The duties of the Dominion Parliament and the Legislative Assembly being different, however, he could see his way clearly to giving Mr. Mowat his hearty support on the present occasion. He (Mr. Elliott) could claim for himself that he had been a supporter of a National Policy when a great many men who had since obtained popularity on account of it turned a very cold shoulder to it. Shortly after the Reciprocity Treaty with the United States was abrogated, it was seen by himself and a number of others, that we in this country were placed at a great disadvantage as compared with our neighbours. Some of them approached the Government with a recommendation that something should be done to remedy that state of affairs; and Sir John Macdonald said, 'Agitate the question in the country, make it an issue at the polls, send men here favourable to such a policy, and we will adopt it and carry it out.' The Conservative party had adopted that principle and carried it out in good faith, and for that he gave them credit. He (Mr. Elliott) declared himself here to be a firm supporter of Sir John Macdonald in regard to the National Policy, so long as he continued to carry out that policy, but when he came to consider our local politics he found that a very different set of interests had to be dealt with."

And so Mr. Elliott goes on to show why he gave, as he said he always would give, the right hon. gentleman, who now leads the House, his hearty support so long as he carried out the policy which was then in force in this Dominion. Now, I submit that I have proved beyond a doubt that the question of the National Policy did not enter into the discussion, and was not a factor therein during the last Ontario elections. I have proven it out of the mouths of hon. gentlemen opposite, and out of the columns of their own press; and I hope that hon. gentlemen opposite will show that they have at least one spark of political honesty in their compo-

sition, and will admit the fact, and forever hereafter hold their peace on that subject. Mr. Speaker, I must apologise to the House for having taken up so much time on this matter, but, as I had been personally referred to in connection with the subject, I trust the House will consider that sufficient excuse for my having called attention to it. I propose now to refer to a matter of much greater importance, namely, to what the National Policy has done for this Dominion. It has been well and truly said that Hamilton is a large manufacturing centre. I am proud to say that that city is now reaping the benefits which the wisdom of her electors saw would accrue from their action on the 17th of September, 1878. At that time the city was in a most deplorable condition. The hon. member for South Huron (Mr. Cameron) in his speech the other night, could not refrain from following in the questionable style of speaking which has been followed by the hon. gentlemen of the Opposition; and he referred to the pledges that had been made by the right hon. gentleman, the leader of the Government, and said that he was willing to give the Government a reasonable time to work out this policy, and then, in his grandiloquent style and windmill fashion, cried: "We have waited a whole year." Why, does the hon. gentleman not know that it is easier to destroy than to build up, and what has taken five years to destroy under the Government which he supported cannot possibly be built up in one year. But when we have brought it back to the state in which it was five years ago, we will have accomplished a task which the country will be grateful for. What was stated previous to the last elections has already been verified, because the supporters of the right hon. gentleman knew well that the country was so thoroughly disgusted with the incapacity of the late Government that any change would be for the better, and would be followed by restored confidence. On the 18th of September, when the telegraph carried from one end of the Dominion to the other that the Mackenzie Administration had been hurled from power, men felt at once that confidence had been restored, and a great incubus withdrawn from the progress of the country. Every man walked with his head erect; he felt

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that the good time was now coming, and that the sun was rising. The only exception to the general feeling of satisfaction was to be found in the few clear Grit circles—here and there these gentlemen wandered, disconsolately bowed down, and feeling that the country had deserted them. Scores of men who had been accustomed to vote with the Reform party were delighted when they heard the result, and they said, "Well, I had to vote with my party, but, thank God, they are out of power now, and the last link is broken which bound me to them." The hon. member for South Huron (Mr. Cameron) contrasted the manner and expression of the hon. the Finance Minister when he brought down his Budget last year, with that of the Finance Minister this year. "On the last occasion," said the hon. gentleman, "gloom and despair overspread the features of the hon. the Finance Minister." For my part, I thought the hon. the Finance Minister spoke with a confidence that he felt that he had succeeded in carrying out his promises to the country, that his policy, and that of his Government, had succeeded. If there was any "gloom" on his countenance it was but the shadow thrown across the floor, by the darkness which prevailed on the opposite side of the House. I now propose to give a few facts showing the effects of the National Policy in Hamilton, and I think that what is the case in Hamilton will be found to be the case in the other cities of Canada; it will be admitted to be a fair indication of the whole. I hold in my hand a statement taken from the reports published by the hon. the Minister of Agriculture, and the facts it contains have been furnished by a gentleman whom the hon. gentlemen opposite can say nothing against, for he was appointed to the office of Emigration Agent in Hamilton by the leader of the Opposition, and still enjoys the confidence of the Mowat Government, I mean Mr. John Smith. He is a well-known gentleman in our part of the country. Now, Mr. Smith, in his report for the year ending 31st December, 1879, says:

"There has been a large increase in the number of factory operatives arriving during the season, for whom there has been a steady demand at the current rate of wages.

"Owing to the large crop of cereals there was a good demand for farm labourers during the

harvest at a high rate of wages; and a large portion of this class of emigrants have met with steady employment.

"There has been a large expenditure upon public works in this district during the year, consisting of drainage, canal and railway construction; which has created a demand for unskilled labour at remunerative wages, the average being \$1.00 to \$1.25 per day.

"The past year has been one of productiveness to our agriculturists, and there has been a good demand for all kinds of produce with increasing prices; the dairy products participating in the general advantage, butter and cheese having fully recovered from the low prices ruling at the opening of the season.

"There has been a large interest in the North-West Territories during the past year, a great number having availed themselves of the provisions for the settlement of the public land. The numerous enquiries through this agency show that the public mind is being directed from the North-Western and Middle States of the Union towards the lands of the Dominion, which has had the effect of closing up the American land offices of this city."

I wish to inform the hon. gentleman that in 1878, acting, I presume, on the high encomiums passed upon the State of Texas by the hon. the leader of the Opposition, the Americans actually had the audacity to open an agency in the city of Hamilton to attract emigrants to that State. They exhibited in the windows of their office the products of the soil, corn, oats, barley, etc., and induced everybody they could to take up lands there. That was the time when our people found it necessary to leave the country and seek a home in foreign lands. If hon. gentlemen will refer to the emigration returns of that time they will find that the exodus from all parts of the Dominion was far in excess then, of what it is now. The hon. member for North Oxford spoke feelingly of the depreciation in the price of farm lands in Ontario. He spoke about farms being sold some years ago at \$75 or \$100 per acre, and now being reduced to \$60 per acre. Now, I know that so far as Ontario is concerned, the price of land does not range so high as it formerly did; that is not a subject of congratulation. But what is the reason that these lands have depreciated in value? It is because the Great North-West has been opened up to our sons, who go there in great numbers to find homes. The farms which they leave behind them will, in consequence of the wisdom and foresight of the policy of the hon. the Minister of Agriculture, be bought and occupied by the tenant farmers of England and Scotland, who will

bring out their capital with them, and thus contribute to the general advancement and wealth of the country; and in a few years we will see, what is now but ordinary good farms, bloom and blossom as the rose, and under the beneficial effects of the National Policy, and the general management of the present Government, this country will take such a position among the nations of the earth as her resources and her people are capable of placing her in, and entitle her to. But hon. gentleman opposite—should we judge from their conduct in this House, and the writing in their press—have no wish to see such a state of affairs. They would rather see a black desert. Mr. Smith proceeds:

"There has been a marked improvement during the year in the industrial and manufacturing interests; there have been many new industries and manufactories opened up in this district, and the elements of success infused in those already established; this is particularly the case with the establishment of the rolling mills here for the purpose of manufacturing iron; also, the nail works in connection with the same establishment. The Britannia Company from Meriden, Connecticut, have also erected a factory here for the purpose of manufacturing plated-ware, being a new industry in Canada; the Forge Company have enlarged their shops to double their former capacity, and are now running night and day to keep pace with their orders. The Dundas and the Lybster Cotton Mills Companies have both increased their capacity, and the mills are running to their fullest capacity in order to supply the demand made upon them and to keep up with their contracts. The result of this increased activity has given an impetus to the labour market, and has largely tended to the increased population and the influx of people from the United States. There has been a restored confidence in commercial circles, and with the high prices ruling for all kinds of farm produce to supply the foreign demand, I anticipate an increased demand for all kinds of labour during the current year."

Now, before this policy was inaugurated we had no rolling mills in Hamilton; we had no nail factory. We had a forging establishment, with one trip-hammer, which was working a force of eight men, four days a week. So Mr. Smith goes on pointing out the different industries that are being fostered by the admirable working of the National Policy. There are statements attached to his report which, among other things, show the amount of capital brought in by emigrants and settlers at the Hamilton agency, for the year ending December 31st, 1879. He shows

how much was brought in during each month in 1878, and during each month in 1879. We find that during the latter year \$199,000 more capital was brought into the Hamilton agency than the year before. That is a fact which proves, I think, that the people have not turned their backs upon Canada. Now, the hon. member for North Oxford (Mr. Oliver) in the most feeling way imaginable, alluded to a letter written by the great John Bright. My idea is that it was not very "bright" on the part of the hon. member to do so. You might as well read from a letter written by the Hon. George Brown, the gallant knight for Centre Huron, or the hon. the leader of the Opposition. But what does Mr. John Bright say: "I regret the course taken by the Canadian Government." We are aware of that. Of course, the leader of Free-trade in England would like us to send our raw material over to England, to be manufactured and sent back to us in that state, and thus compel us to pay for the manufacturing. "I regard it as the first step in the direction of separation from the Mother Country." Poor man. He is much to be pitied if he regards it in that light. Judging from the way he treated this country before, I do not think he would worry himself very much in case of the separation. In this very letter to Mr. Forbes, he shows that his love for this country is measured by the number of ducats he can take from the people of this country and put in his own pocket. "I have no belief in the maintenance of the Empire on which the sun never sets." That is a nice kind of man to dictate to us Canadians. He has no faith in the maintenance of the Empire on which the sun never sets. "It grieves me to see the Colonies departing from the principles which all sound theory and our experience have shown to be wise." Now, in my humble judgment, as well as in the judgment of many far better and wiser men, it is a question whether Free-trade has been a wise policy for Great Britain; and there is a discussion in progress as to whether it is not advisable to return to a policy of Protection. "If the Colonies were wise they would follow our example." Well, we think we are capable of judging for ourselves. Being on the spot, we know what the situation is. Mr. John Bright, writing from his desk

in the Old Country, knows little or nothing about our affairs. "If they will not do so, we must leave them to their own courses, but I think they should not come here for loans or the guarantee for loans." One would suppose that we were in the habit of going over there, hat in hand, begging Mr. Bright and his countrymen to lend us money. The loans are a matter of business arrangement and negotiations, and if it did not suit the purpose of the London money lenders to let us have money, we would not get it. We have to give good security, and pay as good a rate of interest as they can get from others. It is simply a business transaction. The people have money to lend, and, unfortunately, we have to borrow, and we get just the same terms as other people. I dare say Mr. John Bright's friends, in the money market, will not thank him for his gratuitous suggestions. I have alluded in general terms to the effect of the National Policy in Hamilton, and I wish now to refer more in detail to a few of the leading industries that have either been created since the inauguration of the Tariff or were completely subdued under the Administration of hon. gentlemen opposite. The rolling mills is a new enterprise. In the building and plant, \$200,000 are invested; there is an active capital of \$100,000; the wages paid per month amount to \$9,000; the output of work per annum amounts to \$600,000, and 200 hands are kept employed. For the benefit of my esteemed friends from Nova Scotia, I may state the consumption of coal at that establishment is 25,000 tons a year. The nail factory is another new enterprise; it has \$25,000 invested in buildings and plant; active capital, \$50,000; wages per month, \$2,500; output per annum, \$200,000, and the number of hands in constant employment, fifty. There are two glass factories in Hamilton. Three or four companies became bankrupt in trying to continue operations in one of them under the splendid *regime* of hon. gentlemen opposite. One of the factories which was closed previous to the introduction of the National Policy, has now \$40,000 invested in buildings and plant; monthly wages, \$4,500, and number of hands employed, 135. Previous to the change in the Tariff the forge works were only

running half time with a force of eight men. Since the alteration took place, they have increased their capacity over 50 per cent., and are now working day and night to meet their orders. They have \$25,000 invested in buildings and plant; the monthly wages amount to \$2,000, and forty hands are kept in constant employment. In connection with this I will read a letter from the esteemed president of the concern, Mr. James Walker, than whom a more worthy and true gentleman does not exist either in the city of Hamilton or elsewhere. In answer to a letter I wrote him on the subject, he says :

" You ask me about our work, and the effect the National Policy Tariff has had on our forge? From the time of its coming into operation we have been kept occupied. We have doubled our power, and now work our two hammers with a day and night gang of men. We are paying about \$2,000 per month in wages, and other supplies in proportion. And whilst we have Canada market for our axes protected, we sell in Hamilton at a lower price than either Buffalo, Detroit, or Cleveland, showing that we do well for the railway interests of Canada."

That, I think, is a satisfactory report so far as the forge works are concerned.

MR. PLUMB: It is not satisfactory to the Americans.

MR. ROBERTSON: No, I have no doubt it will tend to add to their depression. Then there is the spoke and hub factory, which is newly established in Hamilton; It was formerly in operation on a small scale, about eight or nine miles west of the city, but the proprietors were obliged to come into town in order to increase their capacity so that their establishment could keep pace with the demand. They have \$50,000 invested in plant and buildings; monthly wages, \$1,250, and they pay to farmers \$20,000 a year for blocks. Hon. gentlemen opposite who take such an interest in the down-trodden farmer, will do well to note that item. At present thirty-five hands are employed, but as soon as they get up their new machinery, which is now on the way, about as many more will be engaged. Another important industry which has been established since the inauguration of the National Policy is the Meridian Britannia Metal Works. This company has \$100,000 invested in buildings and plant; active capital, \$25,000; monthly wages, \$1,500; hands employed, fifty; output \$200,000 per

annum. An increase in the machinery will enable them to keep a hundred men employed. Then there is another glass factory, which was shut down by the policy of the late Administration. The proprietors were life-long Reformers, but the same kind of Reformers as Mr. Elliott was. They felt that true reform consisted in the inauguration of measures for the benefit of the country first, and taking care of the party afterwards; and when the present Tariff was suggested, they became strong supporters of the party now in power, and were among the most enlightened and enthusiastic supporters my colleague and I had at the last election. They are reaping their reward; and I have no doubt how they will go, when, the day comes, for the representatives of the people to give an account of their stewardship, by going back to the country. The tobacco factory of George Tucket and Company is flourishing. It always has been a prosperous concern; it was one of those lucky industries that was protected before the present Tariff was adopted. It is prospering, however, still more in consequence of the general diffusion of prosperity throughout the land, and now employs more hands than ever before. Then we have J. H. Killy and Company's machine shops—a large establishment. The Tariff does not do that concern as much good as we all wish it might, since certain raw material they use is taxed, but it is reaping a benefit from the general prosperity of the country. The firm have been obliged to double their capacity, and are working with all the power they can bring to bear on their orders. We have a number of extensive foundries and other establishments, altogether too numerous to mention, which are running to their full capacity, and the general average of wages has increased 10 per cent., and there has been an increase of at least 100 in the number of hands employed in these different establishments. With regard to the building trade, more buildings have been erected than during any previous year, and the edifices are of a better class. In the town of Dundas, two or three establishments are now flourishing, one of which, the Canada Tool Works, was all but snuffed out during the operation of the old Tariff. That concern has largely



increased its capacity. It gives employment to eighty hands; the monthly wages amount to \$3,000, and there are \$80,000 invested in buildings and plant. The Dundas Edge Tool Works or Axe Factory was closed before the present Tariff was adopted. That industry has revived. In buildings and plant \$10,000 are invested. Only fifteen hands are now employed, but the foreman is in the United States endeavouring to bring skilled workmen over, and it is intended to increase the working force to fifty men. The Dundas Cotton Mills have increased their capacity very materially. They have \$400,000 invested in buildings and plant; active capital, \$100,000; output per annum, \$450,000; monthly wages, \$8,000, and number of hands employed, 450; number of bales of cotton manufactured per annum, 200,000; the increase of looms and throstles is 103. So far I have spoken of the larger class of industries; but I can assure this honourable House that the great benefit which the people of this country are receiving in consequence of this great and fostering policy is not confined to these by any means. The fact is there is hardly a trade or calling which is not experiencing day by day advantages from its influence; and I should not be doing amiss in this connection to allude to one more enterprise, although small, comparatively speaking, which affords a good illustration of the general state of affairs, and that is the Canada Whip Company. I have it from the senior partner of the concern, that during the last two years of the Government of the hon. member for Lambton, this establishment was reduced down from one of considerable importance to a small affair, employing only eight hands for four days in each week. It now gives constant employment to nineteen, and cannot fill its orders as fast as required; and while it formerly was obliged to send travellers out to solicit orders, now it has not, nor has it for three months past had one on the road. That is the way in which the "hum" is to be heard in and about Hamilton and neighbourhood, and, from all I can learn, that is only a fair index of what is to be found in other parts of the country.

MR. RYMAL: Tell us how the clock establishment succeeded.

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MR. ROBERTSON: In order that the hon. gentleman may have some comfort, I will tell him all about it. I have no doubt his radiant countenance will be as bright as noonday when I tell him that the clock establishment is not started yet, but will shortly. The clock was wound up so completely by the late Government that it could not get started again. It is there still, and it is due to the conduct of the hon. gentlemen opposite, and the doings of the *Globe* and its satellites, that it has not started before. That clock establishment, however, is in the hands of gentlemen determined to push it on, and, no doubt, in the course of a few weeks, if I am not misinformed, the hon. gentleman (Mr. Rymal) will have to go about the streets of Hamilton, with head down, and saying, "Well, well, there is another reason why we should be depressed."

MR. RYMAL: We will wait till that happy time comes.

MR. ROBERTSON: I wish to refer to a matter, more of a personal nature, though not to myself, but to the great good done to this Dominion by the hon. the Finance Minister, in his recent peregrinations through the country. If there is one thing more than another which has inspired the people of this country with confidence in the present Government, it is the interest manifested in the working of the new policy, by that hon. gentleman and other members of the Government. The present Ministers have not followed the questionable example of their predecessors in office; they have not shut themselves up in their Departments. When gentlemen would come to see them, prepared to offer suggestions as to what was really required by the country, or to offer some hint which their practical knowledge made valuable and of great benefit to the country, they did not shut themselves up within their inner selves, compress their lips, put their hands in their pockets, or treat their visitors as if they were not honest men; on the contrary they received them courteously, and expressed themselves ready to hear everything they had to say, and to act upon what was considered beneficial. His progress throughout the country, not only gave him the knowledge of what was actually going on, but gave the people to

understand that the members of the Government were willing to learn from men experienced in the industries of the land, and who must of necessity know something of what was required. The hon. gentleman has taken the trouble to go from factory to factory to see for himself, and to inspire the people with confidence and the name of Sir Samuel L. Tilley is to-day a household word with the people of Ontario, while the name of his predecessor in office is such as no hon. gentleman would feel great delight in carrying. Of course this is said and meant in a political sense only.

**SIR RICHARD J. CARTWRIGHT:** It is not the slightest consequence to me whether it is said in a political sense or any other.

**MR. ROBERTSON:** I quite understand that remark. It illustrates exactly what I have been speaking of; it is in this style that the honourable and gallant knight from Huron, treated all those who dared to approach him—it was this beautiful exclusiveness—this self-importance—this touch-me-not—I know everything—you cannot teach me—policy, that has so endeared the gallant knight to the great majority of the people of this country. It is “of no consequence,” of course it is not, he was always telling them that their complaints were of “no consequence”; he shut the door of his office to them, on the ground that they were of “no consequence”; he refused to see them, averring that they were people of “no consequence”; he put aside with quiet contempt their views when they did reach him as of “no consequence”; and let me tell the hon. gentleman, that on the 17th September, 1878, the people of Canada deliberately weighted him in the balance, and found him and declared him of “no consequence”—And it was that high and mighty exclusiveness that sent the hon. gentleman to seek a seat where he was personally but little known. Sir, the people of this country believe that there ought to be some community of feeling between the governed and the governors, and they have found it in the persons of the hon. gentlemen who so admirably fill the Treasury Benches, and who have, since they took office, fulfilled every pledge made to the people of Canada.

**MR. CASEY:** The hon. gentleman who has just sat down began his speech

with the remark that young members were not generally well received. In this he is mistaken; young members are generally well received, but on this condition: that they refrain from making themselves particularly offensive to older members, and are a little moderate in tone and language in treating subjects generally. I can hardly say the hon. gentleman (Mr. Robertson) has fulfilled these conditions. The first instance of the breach of that courtesy due from a young to an older member applies to my hon. friend from North Oxford (Mr. Oliver). He charged that hon. gentleman with using a subterfuge, because he quoted a statement from the *Hamilton Times*, which the hon. member for Hamilton (Mr. Robertson) stated, in a sarcastic sense, was very “veracious”—in other words, frequently told fibs. He (Mr. Robertson) admits one half of the *Times’* statement, namely, that over 500 houses in that city were lately vacant. He stated that, though there were that many vacant now, there were more vacant in 1878 than the *Times* stated, and he challenged an actual count to decide between himself and the *Times*. It is very strange the hon. gentleman should have admitted the half of the statement capable of verification, and denied the half which was not so. An actual count of the houses vacant last year is impossible. I think that the evidence of the reporter on the subject of the number vacant a year ago is as good as that with reference to the number now vacant, which the hon. gentleman admits to be correct. He has not helped himself much by his reference to those houses, but has practically admitted the *Times’* statement. He explained that the reason why houses are now vacant is that, when people get better off, they build new ones—out of the city, perhaps he means under the mountain. In other words, the increase of population does not keep pace with the increase of houses in Hamilton. He admits the population is not increasing, or the houses vacant would be filled. He went further, saying that a great many of the idle houses were built in prosperous times, when the right hon. leader of the Government was last in power, about 1872 or 1873, perhaps, which is to say that, under the Revenue Tariff of 15 per cent., Hamilton was extremely pros-

perous, while now, under the high Protective Tariff, an enormous percentage of houses lie vacant. That is not a strong argument for the benefits of Protection. Not content with casting slurs on the hon. gentleman (Mr. Oliver), the hon. member for Hamilton has slighted Woodstock, which, so far as I know, possesses a very fine class of houses—I think finer than most towns of its size in the country. I think the hon. gentleman will not help his case by insulting a whole town in regard to its houses, in this manner. He passed on to another matter—to prove that the National Policy was not an issue at the last Ontario elections—to do which he asserted that Mr. Mowat and friends did not make it an issue, and were not willing to accept it as such. I think Mr. Mowat followed a perfectly consistent course. It has always been a Reform principle to separate Dominion and Local affairs. Mr. Mowat said: We go to the country on our merits; we believe we governed the Province properly, and ask your support, if you think so. But, as the hon. member for Hamilton said, the Opposition were not content with this issue; they thought the National Policy would be a great advantage, a source of strength to them, and dared Mr. Mowat to make it a question. They said that, if the electors supported Mr. Mowat, it should be taken as a condemnation of the National Policy, that would shorten its duration. I think that, when a party like the Ontario Opposition insist thus in dragging in a question, and making it an issue for their own advantage, they should honestly accept the popular verdict upon it, which, in this instance, was overwhelmingly in favour of the Reform party. What would they have said had the elections gone the other way? Does anyone suppose that the hon. member for Hamilton would have stated that the carrying of the elections by the Conservatives, last summer, did not mean a verdict of Ontario for the National Policy? But almost the cruellest thing in his remarks was that his party thought it necessary to make this an issue. That is desperately hard on the Ontario Opposition. They had no hope whatever in the intelligence and influence of their representatives in the Local House, and believed their only prospect of carrying the elections was to drag in the cry so successful

a year before. They forgot the difference, however, between the two occasions; that, on the first, the people did not know what the issue meant, and on the second, they did. The hon. gentleman also says it is easier to destroy than to build up, and in about five years he hopes to see prosperity restored. The time of renovation is lengthening out. During the General Elections, the restoration of prosperity was to come immediately the Conservatives gained power. Last Session it was to come, perhaps, in a year; this Session it is to come in five. When the next elections approach, we hardly dare think to what future period the restoration will be postponed. The hon. member for Hamilton told us, also, that the American Land Office in that city had been closed, in consequence of the good management of the present Government. I think that a very natural consequence of that management. Why should the Americans keep a Land Office, there, and advertise their western country, when the Dominion Government does it for them gratuitously in such pamphlets as the "holiday trip" of the Hon. Peter Mitchell.

AN HON. MEMBER: Is there anything about corkscrews in it?

MR. CASEY: The pamphlet contains sixty-three pages, and about forty are devoted to Minnesota, Texas, Indiana, and other western States, and twenty-three to Manitoba, a great portion being rather abusive of that country. The hon. gentleman also stated that there had been an increase of about 10 per cent. in the wages of iron-moulders in Hamilton. It had been stated in the press that this occurred just after the visit of the hon. the Finance Minister, last fall, was allowed for seven weeks, and then withdrawn, leaving the rate as before. It seemed necessary to show the men some shadow of the realisation of the pretty things said to them by the leaders of the Government in their travels. Next we were treated to a comparison of the personal popularity of the present with that of the late Finance Minister—the name of the first being described as a household word, while that of the second is hardly mentioned. As to the personal popularity of the present Finance Minister, no one grudges it to him, but of his political popularity it is better not to say

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too much. It is quite possible that any Minister who went round visiting the manufactories, and saying pleasant things to masters and men, patting them on the back, and promising them good things all round the next Session, a gentleman with such a pleasant face and manner of saying things, as belong to the hon. the Finance Minister, would be well received; nor should I be surprised if they continued to believe his fine promises for another year or two, if not disappointed before. What the hon. member said about the "hum" in Hamilton is as good an introduction to what I intend to say further as anything else. He is the first member who has had the courage in my hearing to locate the "hum" at home, and I give him credit for the possession of that courage; but whether he will feel so comfortable after the matter has been investigated, I do not know. The hon. gentleman, however, resembles other hon. gentlemen on that side who have addressed the House, in so far as he has not given any statistics to prove that there has been a substantial increase in the general manufactures of the country under the National Policy. The hon. gentleman, I think, has mentioned two new industries, glass-making and silver-plating, and that is more than I have heard any other hon. member claim. Hamilton must therefore be a favoured place. But there has been no claim by my hon. friend that there has been a general increase in the manufactures of the neighbourhood, and, if there has been a claim made, no proof has been offered in support of it. I desire now to make some reference to the manufactures of western Ontario, and I say unhesitatingly that those who had no active foreign competition before this Tariff was introduced, agricultural implement-makers, stove-makers, carriage-makers, etc., instead of being benefitted by this Tariff, have been injured thereby. A first-class firm of agricultural implement-manufacturers in my own county, state that they are out of pocket to the extent of \$3,000 a year by the operation of this Tariff. This loss is due to the increased tax on raw material, while they obtain no increased price for their goods. They never had any foreign competition, and consequently they required no protection. Previously to the adoption of the National Policy,

they exported threshing machines to the United States, which they cannot now do; and while now they export somewhat to Manitoba, the protection they derive there from the National Policy does not recoup them to any appreciable degree for the loss on the home trade. A large firm in St. Thomas, that of Messrs. Haggart and Cochrane, make the same statement in regard to the home trade, but expect to gain something on the Manitoba trade. In reference to London, a neighbouring city, and one in which I take some interest, I will read you a statement I have received from a very prominent gentleman there, who is a large carriage and wagon-maker. He tells me the National Policy has increased the cost of material but not the price of the finished article, and has destroyed their trade with Australia altogether, as they could hardly compete with the Americans before the National Policy, as Boston manufacturers could slip at the manufactory while they have freight to seaboard to pay. This gentleman was one of the largest exporters to Australia.

MR. MACMILLAN: Name.

MR. CASEY: The name is Mr. John Campbell, and it must be remembered that this trade with Australia cost the country thousands of dollars to open up, and it seems certain, from all I can gather, that the National Policy is preventing our merchants from taking advantage of that trade. I give the name of this gentleman because he has made statements publicly in the London press, and I suppose he has no objection to have his name used here. It is true he is a Reformer, but he is a man of business, who built up his business from a small beginning, and he would not allow any party feelings to interfere with his trade interests. When the hon. the Minister of Finance visited his factory in London, he told him some of the same facts: The only alternative these manufacturers have now, is either to combine for the purpose of raising the price of the finished article in proportion to the increased price of raw material, or they must deteriorate the quality of the article they sell. Perhaps the latter will be the most likely adopted, as it will be the most popular course. The wages question also comes up in London. In reference to that, Mr. Campbell says: He never knew the

wages of skilled workmen to be as low as at present, and that they are undoubtedly much lower than a year ago. He never saw so many labourers unemployed as at present. Many are in abject poverty, begging bread for their children to eat; others are satisfied if they can get work enough from the corporation to enable them to earn \$2.00 per week. This Tariff discriminates against the carriage manufacturer in favour of the upholsterer. Moss, which enters largely into the manufacture of carriages for stuffing, has to pay 20 per cent. duty, while the same moss, imported for stuffing furniture, comes in free. I may, perhaps, suggest this to hon. gentlemen that there are among their supporters those interested in the furniture trade, which may be the reason why moss for furniture comes in free, while the same moss for carriages has to pay a duty of 20 per cent. Repp is also free for cabinet work, while it is taxed to carriage-makers and others. I am informed that carriage-makers will have to commission cabinet-makers to import their goods for them. It is worthy of remark that no new trade has been started in London under the National Policy. I have a list here of the industries started in that city under the Administration of my hon. friends on this side of the House, as compared with the utter lack of new industries started under the National Policy, and the House will see that many of those industries, which are claimed to be so prosperous now, were started long before the National Policy came into existence. The complaints of agricultural implement-makers do not come from London alone. I have here a copy of a circular that has, I believe, been sent round to members of the House, emanating from a number of leading agricultural implement-makers, who have clubbed together to make these representations. It was presented to the hon. the Minister of Finance before the Session commenced, and is to the effect that their business suffered from the increased cost of raw material under the National Policy, and that specific duties on finished articles were needed to protect them in Manitoba. I think, Sir, it is clear that the Tariff discriminates unfairly against agricultural implement manufacturers. Another hon. gentleman, the member for Lincoln (Mr.

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Rykert) told us that there was somewhat of a "hum" in his constituency. He told us that the increase of business in St. Catharines had been 50 per cent. during the past year. Some gentlemen in that town have taken the trouble to send me a few items of information in regard to the business of St. Catharines, which I am inclined to suppose are correct; but which, of course, the hon. gentleman will have to disprove if he can. These credible and well-informed parties tell me that, instead of there being an increase of 50 per cent., there has been a decrease of 75 per cent. The list is as follows:—

"St. Catharine's wheel-works, employing usually 80 men has been shut down, and is advertised for sale.

"St. Catharine's stove factory—50 men—for sale.

"Oille's foundry, formerly 60 men, now 10 men.

"Yale and Company's foundry and machine shop closed—for sale.

"Abell's foundry and machine shop, shut down; and two of the brothers left country.

"Dolphin Manufacturing Company (paints), in hands of official assignee.

"Shickluna's ship-yard, usually 200 men, now 20 men, and this will be a large average for the year.

"Simpson's ship-yard, closed.

"Sullivan's planing-mill and lumber-yard, in hands of assignee.

"Twelve master builders, who used to keep 200 men in 1875-6, have now not over 10, and not a shop is open."

The hon. gentleman claimed credit last year for a cotton batting factory that had been started there, as the result of the National Policy. I am told that it was an American who started it; but, finding it did not pay, he sold out. I am also told that only one man was employed there, and that he now is working on half time. I suppose the hon. gentleman will not deny that.

MR. RYKERT: I do, and I also desire to state that three of the firms in the list read failed four years ago.

MR. CASEY: The list continues, as follows:

"R. H. Smith's saw-works, well protected, and with raw material free, and likely to make money, applied in December for remission of taxes for five years, which was granted.

"The Welland Vale Works have not half as many men working as before."

The mowing-machine knife works are prosperous, because they are the only works of the kind in the country. Two thousand five hundred people left

St. Catharines for the United States in the year, and fifty farm people left by the Great Western Railway in February. Many St. Catharines mechanics are working at Cleveland, Buffalo, Lockport, and elsewhere, and their families will low them in the spring. If the hon. gentleman can show this statement to be untrue—

MR. RYKERT : If you will allow me, I will.

MR. CASEY : You cannot speak again in this debate ; but you can take some opportunity of contradicting this by proof. You must understand I only give these facts on my belief in the credibility of these gentlemen, and if they are shown to be incorrect, I will admit their incorrectness. The book trade have complained that the Tariff is unfair ; they say that 15 per cent. is a very heavy burden. It is unnecessary too, since the home publisher has perfect protection under the Copyright Act. I have in my pocket a letter from a book dealer, urging reasons for reducing the book tax to 5 per cent. I have another communication from a dealer in sewing machines at Halifax, to another member, who has handed it to me for use, making serious charges in regard to sewing machines. He says that cheap hand sewing machines are taxed 50 per cent., while the higher priced ones are taxed about 35 per cent. This is a tax on poor people who have to earn their living by using these machines. The sewing machine makers here do not need this protection, since one at least—the Williams' Singer Company, Montreal—has a branch in the United States and sells there cheaper than here. But leaving the question of how manufacturers and dealers in manufactures are affected by this Tariff, I wish to call attention again to the position of the farmers, whom I specially represent, under this Tariff. Throughout, it shows a discrimination against them ; their interests must yield whenever they clash with those of the manufacturers. The farmer expected that he would be encouraged as much as any other class. It is quite unnecessary to argue the point whether he gets any benefit from this Tariff on peas or barley or wheat or on beans. As to corn, on which he might be said to receive a benefit, we have to notice an imposition of 7c. on corn imported by farmers and feeders.

while the starch-maker pays only 2½c. on corn imported to make starch. To come to pork, the farmer was told that he was to get a good profit on his pork ; but a discrimination is made against him in favour of pork-packers, who are allowed to pack American pork in bond and export it. Pork-packers are manufacturers, and the farmer is deprived of his only home market for his pork by this invidious discrimination. Then in regard to wheat, again a distinction is made in favour of the miller. He is allowed to grind American wheat in bond, on the ground that certain qualities of American spring wheat are necessary to make good flour. Why not raise it in Canada ? Indeed, the same quality is raised in Manitoba. The professed object of the National Policy is to induce us to grow and make things here which have not been made and grown here before. In regard to hides and leather, the farmer is still left in the cold. The tanner is allowed to put on an increase on the price of his leather ; but the farmer does not get any more for his hides. The farmer gets no more for his wool, because it is a kind that is not imported. The cabinet-maker is largely protected, but the farmer of Western Ontario, who produces the wood used by the cabinet-maker, is not benefitted at all. When I urged these points on the hon. the Finance Minister, last year, I was told that the wood was the raw material of the cabinet-maker, and therefore could not be taxed. Well, so is pig iron the raw material of the implement maker, and there are several raw materials that are taxed, and, therefore, that argument has no weight, at least it is not allowed to have weight except where the interests of the farmer and the manufacturer clash, and there it is brought to bear against the former. We have excellent black walnut wood in Ontario, but black walnut wood of an inferior quality is brought from the United States ; black walnut, I notice, is even imported from Bulgaria. It is a crying injustice to the farmer that he is not protected, while everybody else is protected all round. The farmer has grown disgusted ; a stronger proof of this than the Ontario elections is to be found in the fact that a large exodus of farmers is taking place from Woodstock and Ingersoll westward—a large exodus to

the western States. It is within my own knowledge that more farmers have gone from my own neighbourhood last year than in any year I can remember. Fifty farmers left St. Thomas on one train; a large number have gone west, and some have gone to Manitoba, but very few have gone to Manitoba. Why these do not go to Manitoba may be best explained by the emigration document sent out by the Government. The Hon. Peter Mitchell relates of the American Consul, who had been in Winnipeg, but in now in Minnesota, the following. After admitting the richness of Manitoba lands, he said:

"But yet your settlers won't stay with you—there were some thirty families came away last summer that I know of, and it is all because they have no faith in your giving them railway facilities."

And so on in the same strain. He goes on to give other reasons why settlers do not stay in Manitoba, and I think they are very good reasons. Perhaps the Government thinks it will save the rush of emigration into Manitoba before the country is ready to receive them. I must, before closing, make a few general remarks on the principles of the Tariff. I will go into no further details, because they have been gone into very fully already. The true aim, the whole tendency, of this Tariff is to create monopolies. It is impossible for a Tariff to foster a number of moderate-sized manufactories under Protective duties. There are periods of high prices, tremendous over-productions, then a glut, a break-down of the markets and the manufacturers, except a few, and those few who remain, reap the spoils. Such a course of events is fatal to small manufacturers, and the bulk of the manufacturing trade will remain in the hands of a few monopolists. We have not reached that yet here, because manufacturers have not been stimulated so much as was expected. In the case of the sugar-refiners, however, there is a monopoly already. In cottons and woollens there is a monopoly in a few hands. We know how all monopolies were looked upon in bygone days; we know that wars and revolutions were brought about by them in the Mother Country. In those days the monopoly was granted by the Crown in return for payments of money. But a

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monopoly is none the less odious because it is granted in return for political influence instead of for cash. These have been so granted, for the hon. leader of the Government promised that if they would put him in he would do all they asked him; he would do whatever each trade required. These monopolies will go on becoming more burdensome, and they will be hard to get rid of. It will be their interest to sustain the Government which gives them their privileges by the most corrupt means. At the last elections, they hired agents to support hon. gentlemen opposite. At the next they will subscribe to an election fund, and the Government will not hesitate to use their money. Has not a Government of the same party, comprised of identically the same hon. gentlemen as the present one, received large sums of money from a public contractor and disbursed it to many persons.

Some Hon. MEMBERS: No, no.

Mr. CASEY: The then Premier of the Government disbursed some of it personally, and another member of that Government took some to disburse. We have an assurance that this conduct will not be repeated; we have had no disclaimer of the moral wickedness of that act. We have had no disclaimer of that affair from the virtuous Minister of Finance; but we have had something from the present Premier, at a nomination speech at the town of Kingston; and here it is:

"With reference to the Pacific Scandal—

An Hon. MEMBER: What has that to do with the Tariff?

Mr. CASEY:

"With reference to the Pacific Scandal, if the thing had to be done over again, I would not make the same mistake. In England, where there is a higher political morality, the elections were managed by the Carleton Club for the Conservatives and the Reform Club for the Liberals."

An Hon. MEMBER: Keep to the point.

Mr. CASEY:

"In Canada there was nothing of the kind, and when subscriptions came in to aid in elections they were sent to the leader of the party. I received money, and I am sorry I did, for we should avoid the appearance of evil. I, however, distributed the money I received all over the country, and not one cent went to Kingston. So conscious am I of mistakes having been made in this respect, that when I went to

Toronto the first thing done was to start the United Empire Club, which has received and distributed the subscriptions."

He is sorry he received the money, because we should avoid the appearance of evil. This is the statement of the hon. gentleman who is now Premier when he went before his constituents asking for their confidence. The first thing he did was to organise a club to distribute the money for him. That club has been hard up; but when the woollen interests, and the sugar interests, and the cotton interest have contributed, there will be plenty to eat and to drink. We were told why it was established, and we see how a great interest has been created to supply the funds. The two facts fit nicely, and show one of the reasons for the existence of the National Policy; that is oppression, and the most odious form of oppression imaginable rules by purse power, and uses its power to make more money. It is not even as respectable as the tyranny of an old-fashioned despot. But, Sir, unless they are coerced by the sort of measures I have indicated, the people of Canada will not long submit to the tyranny of a few parvenu autocrats, who maintain power by the length of their purses, and use that power to make their purses fuller than they were before. The Tariff has created a war of classes and sections. There is a war against the manufacturing class and a war against the consuming class—there is a war between the Eastern and Western Provinces. We saw to-night that the hon. member for Pictou was not satisfied with the duty on coal, and he told us that it would have been increased but for difficulties that were thrown in the way of the Government. The most serious difficulty to which he referred was, no doubt, the resolution of even the Conservative members from the other Provinces against further taxation. We have yet to see the tremendous conflict that must take place between consumers and manufacturers. Consumers must combine and make their power felt, at whatever risk or cost. This will be done, sooner or later, and the country will be convulsed as it never was before. When that time arrives, the party which brought about the tremendous conflict will suffer forever from the stigma it will attach to its name. I have always felt glad that our leaders

did not yield to the instigations of some of our Protectionist friends, who wished them to try measures of Protection to satisfy certain classes. I am very glad they went out of power rather than do that, because I felt sure that Nemesis would speedily overtake any Government that undertook to frame a Protectionist Tariff to satisfy all classes, and that Nemesis has overtaken the hon. gentlemen opposite. Only lately I heard this sentiment expressed in another form by a Conservative, who was opposed to me at the last election. He was an importer, living at St. Thomas, but he moved into another neighbourhood. A year ago, he supported the National Policy, believing it to be a good thing for the country, but he recently said to me: "Casey, it is the best thing for you fellows that you let our fellows try this. Taking up this job is the worst thing that ever happened to us." I think that gentleman's opinion was sound, and that it was a happy day for the Liberal party when the Conservatives undertook the impossible task of making everybody rich at the general expense of the country.

MR. HESSON: I will not trouble the House with many remarks on this worn-out subject. This whole matter was gone into at length on the introduction of the Tariff last year, and the debate this Session has struck me as a waste of time to the House and a heavy expense to the country. I had not purposed saving a word on the subject, but that some figures that have fallen from hon. gentlemen opposite are so misleading that I wish to avail myself of this opportunity of correcting the erroneous impression they may make. I am afraid that the task will be a pretty heavy one, but I think it is important and proper that the statements of some hon. members opposite ought to be refuted at once. In the very long, and perhaps it may be called able, speech of the hon. member for South Oxford (Mr. Oliver), the other evening, there are some inaccuracies which it would be unfair to let go to the country as uncontradicted statements. I knew something of the figures he quoted, but in order to convince myself that I was not astray in my recollection of the facts, I examined the returns and took the figures, not from the *Globe* or *Mail*, but from journals like the *Journal*



of *Commerce* and *Canada Gazette*, which give honest facts, and upon which the people can rely. The hon. member for South Oxford said :

“It was contended by Government supporters that the country was now in the enjoyment of great prosperity. He had been looking anxiously for that prosperity, but had been unable to find it. One of the best criterions by which to judge prosperity was the condition of the Savings Banks. He found that in 1876-7 the deposits in the Dominion Savings Banks amounted to \$5,726,000, which in 1877-8 had increased to \$7,427,000. But since that time \$500,000 had been withdrawn, showing that poor people had found it necessary on account of hard times to draw upon their savings in order to pay current expenses of living.”

Now, that statement is misleading. On examining the Savings Bank account from 1878 up to January, 1880, I find figures which give a different result. In March, 1878, the total amount at the credit of that fund was \$5,927,772. The deposits during that month amounted to \$349,122. The withdrawals were \$400,579, or \$51,397 more than the deposits for the month. In March, 1879, we find a slightly better state of things. The total deposits were \$6,170,685. During the month \$354,792 were deposited, and the withdrawals amounted to \$364,898, leaving an over draft of only \$10,106 for that month. We will now see what the figures were on the 1st of January, 1880, ten months after the inauguration of the National Policy. The deposits for January of the present year were \$456,021; the withdrawals amounted to \$333,764, leaving a surplus of \$122,256 for the month. The total deposits at the credit of that fund on January 31st, 1880, now amounted to \$6,729,417, an excess over the previous year of \$558,732.

SIR SAMUEL L. TILLEY : It is a million for the year.

MR. HESSON : I am told by the hon. the Finance Minister it is a million for the year. That is another proof that the National Policy is quietly but surely effecting its good work. The fact that this sum stands to the credit of the poor hardworking people, who are saving for a rainy day, is an evidence that the country is not in the deplorable state depicted by hon. gentlemen opposite. Turning to the deposits in the chartered banks, I find that on the 31st March, 1871, the total deposits amounted to \$61,667,373. Now

if times had got worse, as hon. gentlemen opposite claim, we would expect to see that sum decreased. On the 31st March, 1879, however, the total deposits in the chartered banks had increased to \$62,566,840, an increase in the year of only \$899,467. On the 31st January, 1880, there was no less than \$68,916,089 of deposits to the credit of the people in the chartered banks, an increase for the ten months, up to January 31st, of \$6,349,249. I think that constitutes a good, sound and logical reason for believing that the times have improved, and that the National Policy is working beneficially for the general interests of the country. The hon. member for Brant (Mr. Pater-son) said :

“The occupants of the Treasury Benches grew very uncomfortable when their leader's speech, as delivered at Parkhill, was read to them. He had pledged his word of honour then that prosperity would return as soon as they could secure power; but 540 days had gone by since then, and still they cried out for more time, trying, like bankrupts, to secure an extension of time from those to whom they had pledged such a marvelous change.”

I think it is only fair to go to the records and ascertain whether, if such promises were made, they have been fulfilled. I will not go to the *Globe*, nor will I refuse to give names, as the hon. member for Elgin (Mr. Casey) did just now. The authority I will give will be found in the editorials of the *Monetary Times*, from a man who is not friendly toward the Conservative cause, in which it is said :

“As the year draws to a close, and there is not much doing, it is satisfactory to hear the confidence expressed in commercial circles, that the improvement in business which has been experienced during the past few months will be more fully realised and developed in opening of next year's business. Tweed and cotton manufactories are fully occupied, and prices advancing. New life and activity have been given to mining enterprise. In North Hastings several iron mines are being developed; outside of North Hastings iron mines are beginning to be developed. The Baldwin mines, a few miles from Hull, are producing 300 tons per day.”

Then we are also told, by the same authority, that the lumber trade was never so bright or promising as now. I will give another quotation, which I think will satisfy hon. gentlemen opposite that the Tariff is working well. The *Monetary Times* says :

“The closing months of 1879 witnessed a remarkable advance in prices of general produce

and merchandise, accompanied by an altogether unexpected revival of trade. New life was suddenly infused into almost every department of industry, and, to the surprise of business men everywhere, a day of profits quickly succeeded to the era of losses, which had come to be regarded by many as only terminable through general bankruptcy. The change, which was radical and complete, was soon discovered to be well-founded. Money flowed in at financial centres freely, and, in consequence, the year closed with tradesmen wearing an unwonted look of cheerfulness, and predicting the future with no little confidence."

It would be most remarkable if the National Policy should have produced all this, or an extra crop of cereals should have produced it. But it is, after all, natural that a change of policy would in the minds of many business men create a presumption or impression that brighter times were in store—that they should have more confidence and enter into new enterprise leading to good results to themselves and the country. I will give another item that may be interesting to hon. gentlemen from an editorial in the *Monetary Times* also, under the heading "Mercantile Failures :"

"The last three months of 1879 show an improvement in the condition of our mercantile affairs, however, which is as gratifying as it is marked. The aggregate of failures among Canadian traders during that period is by far the smallest of the four quarters of the year, forming but 16·8 per cent. of the whole twelve-month, while those of the third quarter formed 23·8 per cent., of the second, 19·7, and of the first 39·7 per cent. The fourth quarter of 1878, 3·73, \$5,013 941. The fourth quarter of 1879, 4 17, \$4,923,367. It is here shown that the failures in the last quarter of 1878 were increased in number and amount over the three months ending September. This year (1879), on the contrary, they are 7 per cent. less."

Now, Mr. Speaker, I consider that is good evidence; and that for the last quarter of 1879 the improvement has been very rapid and positive. I believe that journal to be a good, reliable authority. Under the date of the 12th March, 1880, we have in it these remarks in an editorial, which I wish to read because the hon. member for West Elgin (Mr. Casey) stated that the transactions of the pork-packers had not been satisfactory under the new policy, that is, for the city of Hamilton, at least, where ruin and decay had been so prevalent, and where we were told so many houses were empty. It is, at all events, agreeable to me, if not to hon. gentlemen opposite, that we have

such a record as this journal gives, in relation to that particular industry :

"There are three good-sized pork packing houses in Hamilton, and, according to the *Spectator*, their proprietors are as one in declaring that the new Tariff has helped their trade. Mr. F. W. Fearman, who has been many years in the provision business in an extensive way, has between thirty and forty hands employed, and expects to handle 12,000 hogs this season, says that under the old Tariff, American dealers were able to rush their surplus stocks into Canada and this had a very bad effect on the trade. At present there is a very good prospect, since the Americans have been shut out. Mr. Thos. Lawry has a staff of twenty-eight men, and a heavy stock of hogs, having already handled some 6,000 of an average weight of 250lb., and expecting to turn out 2,000 tinnets of lard. He sends goods all over west Ontario and to Manitoba as well, two car loads being bound for Winnipeg this week. The Argyle packing house of Mr. John Campbell, exports goods, such as hams, side and roll bacon, and mess pork, to the West Indies and to Scotland. The bulk of its business is done in Canada, however, and the proprietor expects to do a very much heavier business this year than last, the duty enabling packers in this country to work to greater advantage."

So much for the *Monetary Times*. We shall now see what the *Journal of Commerce*, a journal also unfriendly to the Conservative Government says. It says, on the trade of Canada, under date of December 31st, 1879:

"The close of the year finds the general markets in a healthful and promising state. Surely there is no branch of trade but has found a better harvest than could have been expected in midsummer even if hoped for, and probably there is no line of industry, taken as a whole, but can look back upon this as at least a less unsatisfactory year than its predecessor. Nor is it necessary that the retrospect should be pictured entirely from a negative standpoint. There are positive occasions for trade congratulations, and these are neither few in number nor doubtful as to title. During the latter half of the year fortunes have been made in several departments, of legitimate industry, notably in hardware and provisions. In groceries, in leather and its manufactures, in furs, in oils, in chemicals, in coal, a good and profitable business has been done, and even in dry goods a general average would we think declare the year a satisfactory one. The shipping trade has been excellent, steady engagement of all tonnage offering at good paying rates from shortly after the opening of navigation to its very close. Farmers have been especially favoured with the double boon of good crops and high prices, and the outflow of their prosperity has percolated through our whole commercial system, infusing new life into every artery."

A revival was not unexpected to us, how-

ever, but was to hon. gentlemen opposite. I trust that, before another year passes, we shall be able to convince even them on the point. We have heard a good deal about the disadvantages of a Protective Tariff, and of the ruin and decay that must inevitably follow its introduction. I will now give a picture that I am sorry to have to exhibit, for it affects a country we all love—the land of our fathers—taken from an article in the *Journal of Commerce* on the cotton industry in England, the centre and heart of Free-trade :

“Accounts from Manchester give a gloomy description of the condition of affairs in that great centre of the cotton industry. Within a radius of thirty-five miles from Manchester is found the most densely populated district in Great Britain, taking in Liverpool, Leeds, Sheffield, Stockport, Oldham, Wigan, Blackburn, Bradford, and other important cities and towns. This district now suffers more severely than others in proportion to the denseness of its population and the greatly diminished demand for labour in all departments of trade. The stranger who walks through Manchester to-day finds there many silent mills, long rows of empty houses, and throngs of idle workmen. In and about the city there are clustered 2,000 cotton mills, employing from 50 to 2,500 operatives each. The Haworths Mill, of Salford, the largest in Great Britain, and employing about 2,500 hands, is running from four and a half to five days a week. One manufacturer states that he has not made 1 per cent. on his capital during the last year ; another manufacturer, employing but fifty hands, is losing \$250 per week, but would lose \$275 per week if he should stop altogether. A report has recently been prepared by the American Consul at Manchester, which sets down the year 1878 as a year of unprecedented depression in the cotton manufactures, but during 1879 the same causes have been at work in an intensified form ; and the condition is still worse. The high price of cotton, the low price of manufactured goods, the small demand for cotton goods in England, the smaller foreign orders, close competition, and the prevailing uncertainty of affairs are among the causes to which he attributes the present unrest and gloom. Good observers do not see any reason for anticipating improvement.”

Dr. John Watts, author of the article on cotton in the *New Encyclopedia*, is quoted as having said lately :

“I see no possibility for a revival of the cotton trade in the near future. The only circumstance that can aid the manufacturer is an increased demand for manufactured goods ; and where are your orders to come from ? I see very well the causes of the revival in the iron trade. Many cities are just at present building tramways on a large scale, and they consume

large quantities of iron. Large orders are coming over from America, both from the United States and Canada, but where are orders for cotton goods to come from ? The recent famines in China and India have closed those markets almost entirely. The Protective policies of Germany and the United States drive away all foreign goods in the cotton line ; the great failure of the harvest in England has diminished to an alarming extent the home demand, and the same is true in regard to France. The notion that the present depression is a fugitive one is false. Only by a change of national and individual policy can matters be bettered. The rise of the cotton trade must be very slow, and it will follow far behind the advance in the other trades. A return to prosperity in general will of course bring up the cotton trade, but a long time must elapse before that is brought about.”

Even in good old England where, if Free-trade has any merit, it should be a panacea for the country's troubles, and where they have had such experience of it, and such skill in all the arts and industries, it is felt there can be no relief except in a change of policy ; and because we here are adopting a new policy to try and build up our young industries, we are charged with pursuing a foolish, if not a dishonest, course. Hon. gentlemen opposite can see that even a great or wealthy country like Free-trade England can suffer in such trying times as the present. Let us now turn to the cotton trade of Canada, and see what the *Journal of Commerce* says about it :

“The Montreal (Valleyfield) Company, which has been in existence about three years, paid its first dividend, six per cent., recently. The Canada Cotton Company (Cornwall) has been running some six years and has never paid a dividend. It began with a capital of \$250,000, which was subsequently extended to \$525,000. The bonds of the company, secured by mortgage on the property, were lately renewed for five years, and the stock has recently been sold as low as 12½ and even 10 per cent. The company has been making money during the past six months for the first time, and as one of the principle shareholders is now devoting his exclusive attention to the business, it may possibly, ere long, show better results. The Dundas Cotton Company, although not the least successful of our industries, have never paid more than 8 per cent. The Lybster has not exceeded 8 per cent. and has more than once been compelled to pass a dividend.

Why could not these factories have paid their first dividend some years ago, when hon. gentlemen opposite had their much praised Tariff in operation ? Why should it be left to the operation of the present Tariff ? No new industry like it could

then have yielded a fair dividend, and this was the first seen of a dividend for the Cornwall Cotton Company for six years. Another article from the same source says, under date of February 5th, 1880 :

“As the tide of time floats us on towards the season of activity, waifs of promise are discovered here and there, pointing to the realisation of current expectations. The hardware market, which has so long exhibited phenomenal strength, still leads the van, and again a higher notch is tallied in the scale of prices. The trade is buoyant and one might almost say presumptuous in its confident assurance of an active and profitable season; yet it must be admitted that the horizon is altogether free from cloud-like auguries of reactions. The dry goods trade now also gives a good report. The accounts from travellers are highly satisfactory. Spring goods are meeting with fair to eager demand, and we hear of orders coming in with a rush.”

We had reason to believe from hon. gentlemen opposite that the Dundas Company was rolling in wealth and making large profits through absence of competition; this establishment, amongst others, was described as charging high prices for its goods and accumulating wealth at the cost of the poorer classes. Yet, here we find, on the very best evidence, that it has never, at any time, paid more than 8 per cent.—not too much for capital invested in such an enterprise, with all its consequent risks. Every Canadian ought to be glad to know the country's industries are prosperous. Men should not, as hon. gentlemen opposite have, try to sow distrust among the people and make them feel discontented and unhappy with their country. I could furnish other quotations to establish the view that times were improving, were it necessary. The hon. member for South Huron (Mr. Cameron), in a tiresome, two hours' speech, the other evening, strove to prove that evil resulted from our Tariff policy upon the trade with Great Britain. As I should have regretted such result, I looked into the matter to see if he was correct; and I am glad to learn from the public records, and not from a scrap-book, such as the hon. gentleman used on that occasion, that his conclusions were unfounded. I would advise the hon. gentleman not to attempt to pass off upon the members of this House items from a scrap-book, made up of clippings from the *Globe*, *Hamilton Times*, and such like bad authorities, as reliable information. I find by the

public Statistics that the total imports from Great Britain for the last six months ending December 31st, 1878, while the late Government was in power, reached \$16,768,776; the duty collected, \$2,835,378, being an average of 17 per cent. on the total imports. From the United States, in the same period, our imports were \$21,411,150; total duty collected, \$2,624,284, or not quite an average of 12¼ per cent., a difference of no less than 4¾ per cent. in favour of the United States as against Great Britain. The hon. member for South Huron (Mr. Cameron) said on this subject, that the new Tariff showed no less a difference than 4 per cent. against Great Britain, while the Tariff of the late Administration gave her an advantage of 2 per cent. I should have much regret at any such result; but I find one wholly different: instead of 4 per cent. against her, the difference is now more nearly in her favour, as, I think, can be shown from the imports of the last six months ending December 31, 1879. The total imports from Great Britain at said date amounted to \$15,514,358. The duty collected was \$3,014,487, or a duty averaging 19½ per cent., or an increase over the old Tariff of 2½ per cent. The total imports from the United States for the same period were \$14,331,918; the amount of duty collected, \$2,247,436, an average rate of duty of 15¾ per cent., or increase of 3½ per cent., as against an increase of 2½ per cent. upon imports from Great Britain. These returns show there has been under the new Tariff an increase of only 2½ per cent. over the old Tariff of the late Administration on British imports, and of 3½ per cent. on American, an improvement in favour of imports from Great Britain of 1 per cent. These figures are correct, and can be verified by any hon. gentleman who will take the trouble to verify them, as I have done. I find these are the correct results and I have nothing to be ashamed of in supporting a policy that produces such a record. I find that, while the general trade has been developing, we have made improvement in other directions. Under the late Administration there was admitted from the United States during the last half year of 1878 no less than \$9,600,000 worth of goods free of duty; for the same period only \$4,771,281 worth came in from Great Britain free, or

just about one-half. What has been the result under the new Tariff? I am happy to point to the results in that direction, because I felt that our trade with Great Britain was being hampered by the course of the late Government in admitting so many American goods into our market without raising any revenue out of them, while, at the same time, a very small quantity was admitted from Great Britain free. During the last six months of 1878, under the Mackenzie Administration, free goods from Great Britain amounted to only \$2,287,100, against \$9,662,354 from the United States. Now, under the new Tariff, for six months ending December 31st, 1879, free goods from Great Britain amounted to \$3,020,696, and the free goods from the United States for same time had diminished to \$4,771,281. I hope, therefore, that we have heard the last from those hon. gentlemen of the pretension that this policy has been discriminating against Great Britain. I consider it has been legislation in the right direction; and when the Americans are prepared to deal fairly with us it will be time to consider whether we shall allow free goods to come in to any greater extent from that country. I am in favour of taxing every article that they impose a duty upon going into their country from this. We are justified in protecting the manufactures and commerce of Canada, with her long frontier and comparatively feeble resources. I am satisfied that after a few years hon. gentlemen opposite will be compelled to acknowledge that Sir Samuel L. Tilley has done a great work for his country in introducing this Tariff. Hon. gentlemen opposite acknowledge that business has begun to improve, but they deny it is attributable to the Tariff, and say that better times would have come in any case. Well, Mr. Speaker, if it is desirable that we should have better times it is the duty and the interest of the country to keep those men at the head of affairs who have the good fortune to fall in with good times. From 1867 to 1873 we had prosperous times, a rapid growth, and bright prospects in the country; but since that day, until the year 1879, it has been a period of reverses, gloom, financial and industrial depression. The hon. gentlemen now at the head of affairs are ridiculed, but the memory of the hon. the

Finance Minister will endure when the hon. gentlemen opposite shall have been forgotten.

Mr. COCKBURN (Muskoka): I do not propose to trouble the House with many remarks, but I hope that what I say will be at least governed by common sense and not the mere drivelling style that I have heard from many hon. gentlemen. I like to hear the remarks of hon. gentlemen opposite when they confine themselves to the point under discussion. I apprehend that it is tolerably clear from this discussion that we will have to agree to disagree; at the same time the debates on this subject may be fraught with good for the future. Hon. gentlemen opposite pretend that we have now got back to the prosperous times that we had previous to 1874, and they claim that the National Policy has been a large factor in producing this result. Now, let us reason the matter. I am willing to confess that there is a better appearance. One of the chief causes, in my opinion, of this improvement was the rise last year in the price of wheat. What is the cause of the rise of wheat and farm produce generally? It was owing to the higher price in Britain, resulting from the failure of the crops there. The hon. gentleman who last addressed the House mentioned that there was an increase in the price of butter, cheese, and some other articles, and he claimed that that was due to the National Policy. But we know the National Policy has had nothing to do with it, and it is puerile for him to stand up here and insult the intelligence of the House by repeating the old womanish stories of 1878. I am sure the hon. gentlemen who sit on the Treasury Benches do not believe a word of it, although it comes from one of their thick and thin supporters. It is perfectly clear this is due entirely to other causes. The hon. member for East Grey (Mr. Sproule) has spoken of the price of lumber being advanced. There is no doubt that the export trade to the United States has been stimulated a good deal. But I have letters here from most reliable men, showing that the price of lumber has not materially advanced in our local market, while the sales are duller than they have been during the past twelve years. But even were the Canadian markets more buoyant, I would not

accredit that improvement to the National Policy, but to the stimulated export trade with the United States, which would naturally relieve our own market. In reference to the numerous statements, *pro* and *con*, which have been made in reference to the effect of the National Policy, it may have started up some small industries throughout the country, but at the same time it has extinguished others. In order to show that a great deal of trash is spoken, and a great many unreliable statements made in reference to the effect of this Tariff, I may say that a circular has been sent around by a crockery firm in this city, declaring that the National Policy has resulted in the establishment of a pottery in St. John, while, as a matter of fact, that pottery was established in 1874. The hon. the Minister of Finance seemed to glory in the falling off of our imports. I think the falling off in our imports is the reverse of a sign of national prosperity—because, if we have no imports, our producers will have to pay double freight for the transportation of their produce to market. A great many supporters of the National Policy always refer with mingled pride and satisfaction to the starting of a sugar refinery in Montreal. It is a well-known fact that that sugar refinery might have gone on well enough under the previous Administration and made a fair margin. Sugar refiners, however, have been accustomed to make very large profits, and nothing but very large profits will satisfy their rapacity. I am willing to grant that the starting of that sugar refinery in Montreal has given employment to about 400 men, but it cost the people of Canada \$4,000 for each man employed in that refinery. Sugar is said by hon. gentlemen to be no dearer now in this country than it is in the United States, and a fair proposition is that if sugar were imported free we would have sugar laid down at 3½c. and 3¾c. per pound. At the present time we pay \$3,500,000 for the sugar we annually consume, while only \$2,000,000 goes into the Treasury, and the balance of \$1,500,000 more than we should pay goes into the pockets of the sugar refiners, who give in return employment to 400 men, at a cost to the Dominion of \$4,000 per man. One of the principle arguments in favour of the National Policy at its inception was that it would tend to prevent

people from leaving our country. Everyone knows how it has failed in that respect. I was speaking to a resident of this city the other day, and he said that if the people of Ottawa left the city as rapidly in the future as they had during the past twelve months, the city would soon be disenfranchised of one of its present members. When the last United States Census was taken in 1871, there were 500,000 Canadians in the Union who left Canada under the rule of the present gentlemen. But if emigration goes on from the Dominion at the rate it has been going on, I am afraid that by 1881 the Canadians in the United States will amount to 1,500,000. It is strange that all the great periods of an exodus from this country should be while Conservatives are in power. I do not say this is altogether the fault of hon. gentlemen on the Treasury Benches, but we must take things as we find them, and there are a large number of Canadians settling in the United States. Very little credit can be given to the National Policy for what it has done. It is perfectly absurd for some hon. gentlemen to get up and make the statements which they have addressed to the House. In doing so they have merely wasted the time of the House. My intention was to offer to the House a few common-sense propositions, which I thought could not be gained, and I trust I have done so.

MR. WHITE (Cardwell) moved the adjournment of the debate.

Motion agreed to, and Debate adjourned.

House adjourned at

Fifteen minutes before  
One o'clock.

## HOUSE OF COMMONS.

Monday, 22nd March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### EASTER ADJOURNMENT.

Resolved, That when this House adjourns on Wednesday next, it do stand adjourned until Tuesday, 30th March inst.—(Sir Samuel L. Tilley.)

### LAW AND TRANSLATION—AMALGAMATION OF PARLIAMENTARY DEPARTMENTS.

#### COMMITTEE APPOINTED.

Resolved, That a Select Committee be appointed to act with a Committee to be appointed

by the Senate to consider whether it would not be attended with economy and advantage to the Public Service, if the Law Department of each House and that of Translation, were respectively amalgamated; and that such Committee do consist of Messrs. McDonald (Pictou), Langevin, Mills, Kirkpatrick, Anglin, White (Cardwell), and Tasse.—(Mr. McDonald, Pictou.)

#### RIVIERE DU LOUP BRANCH PURCHASE CONFIRMATION BILL.

(Sir Charles Tupper.)

##### FIRST READING.

SIR CHARLES TUPPER introduced a Bill (No 81) To confirm the purchase by the Dominion of a portion of the Grand Trunk Railway, and the agreement made with the Grand Trunk Railway Company of Canada with respect thereto.

MR. ANGLIN: If this Bill is to confirm a bargain or sale, and to ratify a money transaction already authorised by Parliament, it is unnecessary; but if the Bill relates to the expenditure of money not so authorised, it ought to be introduced by resolutions.

SIR CHARLES TUPPER: The Bill itself was introduced by resolution last year in the usual way. Parliament gave its consent to those resolutions and voted the money, and the money has been expended in conformity with the vote, and this is simply to confirm the action thus taken. It is not in relation to an application for money already expended, but is for the purpose of confirming a transaction done under the authority of an Act of Parliament.

MR. ANGLIN: Why is any confirmation required? If the Act of Parliament gives full authority, no other Act is required. It must be because the hon. gentleman feels that he has done something not so authorised that he introduces this Bill. The very fact of asking for the confirmation, implies that he has incurred some obligation which the previous Act did not warrant.

SIR CHARLES TUPPER: Strictly speaking, there is no necessity for this Bill. But inasmuch as ten or twenty years hence some question might possibly be raised on the part of some shareholders connected with the Grand Trunk Railway, it was thought judicious to have the Act ratified after its conclusion. If the hon. gentleman, on the second reading of the Bill, thinks that it is not required or is

not wise, it will be competent for him to raise his objections.

SIR ALBERT J. SMITH: I doubt very much whether the Act of last Session authorises all that has been done.

MR. MILLS: The House cannot go behind the propositions the hon. gentleman submits for its consideration. He evidently proposes to deal with something that has not already been sufficiently dealt with by this Parliament, and I think we are bound to conclude that this is a matter that requires to be introduced by resolution. If the hon. gentleman's statement turns out, when the Bill comes before Parliament in proper form, to be well founded, then it may be a reason for not proceeding with the Bill, but the House cannot assume there is no reason for proceeding with the measure as a ground why the hon. gentleman should depart from the usual practice in its introduction.

SIR CHARLES TUPPER: It would perhaps be as well for the hon. gentleman to see the Bill before he undertakes to criticise it. If it is found that it is open to criticism, he will be better able to make it by raising an imaginary ground of objection. I think it will puzzle hon. gentlemen to lay their hands upon any precedent whatever for introducing resolutions a second time after resolutions have been already introduced, a Bill founded upon them, and the money voted and expended by the Government in conformity with an Act of Parliament.

MR. MACKENZIE: Hon. gentlemen will also search in vain for the precedent of a Minister introducing a Bill to do something that has already been done. Either this Bill means something more than the resolutions and Bill already passed, or it is unnecessary.

MR. SPEAKER: I do not see any objection to the introduction of the Bill. As it is only to confirm an agreement made by Act of Parliament last year, I do not think it necessary to ask for resolutions.

*Bill read the first time.*

#### PRIVILEGE—ALBERTON, P.E.I., SUB-COLLECTORSHIP.

##### PERSONAL EXPLANATIONS.

MR. YEO: A few nights ago the hon. the Minister of Marine and Fisheries brought a charge against me of having

SIR CHARLES TUPPER.

presented the resignation of Mr. J. F. White, sub-collector of the port of Alberton, Prince Edward Island, to the Deputy Minister of Customs, telling him at the same time to make a note of the fact, but that I intended to keep it in my own possession until after the election, when, if Mr. White was successful, I would give the resignation to the Deputy, but, if he was not successful, I would return it to Mr. White. This I emphatically denied at the time, and the next morning I went to see the Deputy, and asked him if he had ever seen me in his office on such an errand. He replied that he did not remember. I then asked him if he ever saw me in his office at all with letters or documents of any kind. He repeated that he had no recollection of ever seeing me there. I then asked him if he would give me a letter stating that he had not seen me in his office with Mr. White's resignation. He said: "I cannot well do that, as I have a dim recollection of two gentlemen coming into my office with a resignation." "That," I said, "might be true, but, as you know me very well, why did you connect my name with the matter?" His reply was that he could not keep these things in his head; he told the hon. Minister at the time of two gentlemen calling upon him with the resignation, but what he said he did not now recollect. I told him that the matter was very important to me, and that I would give him a day to think it over and make enquiries, and would expect a decisive answer from him at the end of that time. I got no answer, and I then wrote him the following letter, which I will read to the House:

"The Minister of Customs stated in the House last night, that last year I called upon you, stating that I had a letter from Mr. James F. White tendering his resignation as Sub-Collector at Alberton, Prince Edward Island; that I showed it to you; that I told you to remember that I had presented it, but that I declined to leave it with you. Now, as I did not call upon you last year for this or any other purpose, as I never was in your office, nor had I any conversation with you, I call upon you as an honourable man to give an explicit denial to what I cannot otherwise characterise in every particular as a malicious falsehood."

To this letter I received the following reply:—

"I beg to acknowledge receipt of your note of 2nd instant, respecting the alleged resigna-

tion of Mr. James F. White, and to say that your concluding remarks make it impossible for me to enter into the matter in reply. I have, however, written Mr. Bowell and sent him your note, and I presume it will be allowed to rest there as far as I am concerned."

I then wrote to Mr. James F. White, asking him if he had ever sent me his resignation, or had ever written to me in Ottawa on that or any other subject. I will read to the House an extract from that letter:

"In answer to yours of the 2nd instant, in which you say, in a recent discussion in the House of Commons, regarding dismissals of officials on this Island, Mr. Pope brought up my name, and said: 'At the time I was running my election, I sent my resignation as Collector of Customs at Alberton to you, and wished you to show it merely to the Deputy-Minister of Customs, and hold it till after the election, and if not elected to return it (the resignation) to me.' I have to say I am very much surprised to hear that Mr. Pope made such an assertion, for although opposed as I am to Mr. Pope in politics, I had too much respect for him, personally, to think he could make a statement so utterly at variance with truth. I never, directly or indirectly, sent or caused to be sent my resignation to you, for any purpose whatever, and think Mr. Pope must have been imposed upon by some of his very unscrupulous followers."

#### WELLAND CANAL—OPENING OF NAVIGATION.

##### QUESTION.

MR. MACKENZIE: I would like to ask the hon. the Minister of Railways and Canals, if he would answer a question without previous notice. I have received a number of very urgent communications within the last few days, respecting the opening of the Welland Canal. It is a matter of extreme importance. The ice in the lakes has about all disappeared, and navigation ought to open much earlier this year than usual, and the success to a great extent of the the year's operations down the St. Lawrence depend on that Canal being opened within a very few days if it could be done. I have observed a notice in the newspapers to the effect that it is not to be opened until May 1st, a date much later instead of earlier than usual. It would be a great calamity to the trade of the St. Lawrence if it should be found impossible to change that date. I have brought the matter before the hon. gentleman and the House with a view to obtain some expression of opinion, which I trust will relieve our merchants and seamen from the apprehension under



which they at present labour. I have also received a number of communications about the accommodation at Montreal. From the basins at the mouth of the canals up to the large basin where the Government wharf is situated, the water is nineteen feet deep, and accommodation therefore can be had, for which charges of course will be made on a large number of sea-going vessels. I trust the hon. gentleman will make such arrangements as will enable shipping to take advantage of the accommodation to be obtained in those basins.

SIR CHARLES TUPPER: I am very much obliged to the hon. gentleman for putting the question he has, because it relates to a question of very great public interest and importance, and I am very glad to have an opportunity of stating to the House, and, through the press, to the country, the explanation that is required to be made in reference to the opening of the Welland Canal. Communications of the same urgent character as those referred to by the hon. member for Lambton (Mr. Mackenzie) have reached myself. I called upon Mr. Page, the Chief Engineer of the Department, to know what it was in my power to state in reference to this question. It was represented that a very great injury to the trade of the country would occur if we were not able to open the Welland Canal by the middle of April instead of May 1st. In some places it has been remarked that it would not be opened until a much later date. I regret extremely to find that it appears to be impossible to open the canals before May 1st. In explanation of that impossibility, Mr. Page says, that the contracts which were entered into by my hon. predecessor, in 1876, and which are still in force—I now refer to the contract with Messrs. Hunter, Murray and Cleveland at Port Colborne—expressly gives the contractors the right to keep the canal unwatered until the 26th day of April. And from the 26th of April, the time at which they are allowed to keep the canal unwatered, till the 1st of May, is required to remove the coffer dams. I have asked Mr. Page if we were bound under this contract not to allow the water to flow into the Welland canal till the 26th of April, and whether, seeing that the delay would cause a serious loss to the trade of the country, it would not be

possible to take into consideration the question of rendering compensation, so as to compromise with the contractors for a violation of the contract to that extent, so that it might be possible to obtain the use of the canal before the 26th of April. He said that would not be practicable, because in the construction of the new works is involved the necessity of constructing a new bridge, to enable the Grand Trunk Railway to cross the canal; and, in order to obtain that, a diversion has been made, so as to have the bridge needed by the Grand Trunk Railway made at another part. The removal of the obstruction at Port Colborne would not accomplish that object, because the erection of the superstructure of the bridge required by the Grand Trunk Railway could not be begun until the 13th of April, and it could not be constructed before the 26th of April. Consequently, the first difficulty is the contract made with Messrs. Hunter, Cleveland and Company, giving them until the 26th of April before watering the canal; and, secondly, the bridge required by the Grand Trunk Railway, which could not be begun until the 13th of April. I regret exceedingly that these difficulties have occurred; but I am afraid there is no possibility of having the canal in operation before the 1st of May. I have called upon Mr. Page to make me a report in reference to these difficulties, and he is engaged on that now.

MR. MACKENZIE: And with reference to the Lachine.

SIR CHARLES TUPPER: With reference to that, every facility will be given.

MR. MACKENZIE: Are the gates ready?

SIR CHARLES TUPPER: It will be seen that it is inconvenient to answer off-hand questions relating to the details of the Engineering Department. I will ascertain and give the information at an early date.

MR. GAULT: I regret very much that there is no likelihood of the canal being opened before the 1st of May, because it will entail a very serious loss. I wish to impress upon the Government the necessity for trying by all means to make some compromise by way of pay as compensation to the contractors, so as to get the canal opened at an earlier date.

## PRIVATE BILLS.

## THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time, and passed:—

Bill (No. 31) To incorporate the St. Clair and Lake Erie Navigation Company.—(Mr. Stephenson.)

Bill (No. 47) Respecting the Great Western and Lake Shore Junction Railway Company.—(Mr. Carlina.)

JORDAN BAY BREAKWATER, SHELBURNE COUNTY.

## QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to repair the Jordan Bay Breakwater, Shelburne county, during the coming season, and if so, what amount is to be expended upon this work.

MR. LANGEVIN: This matter is still under the consideration of the Government.

CAUGHNAWAGA FERRY BOAT—PIER AT LACHINE.

## QUESTION.

MR. BERGERON enquired, Whether it is the intention of the Government to build, during the coming season, a dam or pier at Lachine, with the object of preventing, as far as practicable, the ice-jam in that locality, and facilitating the passage of the ferry boat to Caughnawaga.

MR. LANGEVIN: The Government is giving due consideration to the subject, and will endeavour to provide the necessary means of meeting the difficulty.

WELLINGTON, GREY, AND BRUCE RAILWAY MAIL SERVICE.

## QUESTION.

MR. GILLIES enquired, Whether it is the intention of the Government, during the current year, to extend the evening mail service by the Wellington, Grey, and Bruce Railway, to Paisley, Port Elgin and Southampton, which service is now enjoyed by the people of Walkerton, and has been so enjoyed by the inhabitants of that town and locality for years past.

MR. O'CONNOR: That matter is under the consideration of the Post Office Department at present.

FRACTIONAL CURRENCY.

## QUESTION.

MR. KEELER enquired, Whether it is the intention of the Government, in the

proposed issue of Dominion Notes, to provide that a proportion of such issue be in a fractional currency.

SIR SAMUEL L. TILLEY: There are at present something like \$140,000 in circulation, and we have not yet decided how far we will extend that circulation. I doubt whether it will be extended materially beyond what it is at present. We may issue \$20,000 additional, pending the receipt of silver coin ordered, in twenty-five, ten, and five cent pieces.

EASTERN TOWNSHIPS MINERALS.

## QUESTION.

MR. BOURBEAU enquired, Whether it is the intention of the Government to move for the appointment of a Committee to make enquiry as to our minerals in the Eastern Townships, and to cause pamphlets to be published in both languages, with a view to furnish fuller information as to the richness of our mines.

MR. POPE (Compton): It is not the intention of the Government to do so; we rely upon the report of the Geological Survey. Neither is it the intention of the Government to cause the pamphlets to be published as the mines are a matter entirely under the control and management of the Provincial Governments.

QUEEN'S, P. E. I.—BELLE CREEK HARBOUR IMPROVEMENT.

## QUESTION.

MR. BRECKEN enquired, Whether it is the intention of the Government to make provision during the present Session for the improvement of the harbour of Belle Creek, in Queen's county, in the Province of Prince Edward Island.

MR. LANGEVIN: This matter is still under the consideration of the Government.

CANADIAN TOBACCO.

## QUESTION.

MR. BOURBEAU enquired, Whether it is the intention of the Government to cause to be published, in both languages, English and French, pamphlets giving information as to the best method to be adopted for the cultivation of Canadian tobacco, and as to the best manner of properly preparing it for consumption.

MR. BABY: It is the intention of the Government to give the best possible encouragement for the cultivation of Canadian tobacco.

## CULTIVATION OF THE SOIL—PAMPHLETS ON.

## QUESTION.

MR. BOURBEAU enquired, Whether it is the intention of the Government to cause pamphlets to be published, in both languages, English and French, setting forth the best mode of cultivating the land for the raising of the various agricultural products in Canada, and giving information, also, as to the best quality of seed.

MR. POPE (Compton) : It is not the intention of the Government to do so ; the subject is one of great importance, both Local and Federal Governments being interested in it.

## QUEEN'S, P.E.I.—RUSTICO HARBOUR ENTRANCE.

## QUESTION.

MR. BRECKEN enquired, Whether it is the intention of the Government to make any provision, during the present Session, for deepening and improving the entrance to Rustico Harbour, in Queen's county, in the Province of Prince Edward Island.

MR. LANGEVIN : The information the Government has in reference to this harbour is not sufficient to enable them to decide on this question. When an engineer goes in that direction, next summer, he will receive instructions to visit the locality in order to make a report thereon.

## BRITISH COLUMBIA — CHARGES AGAINST B. W. PEARSE.

## QUESTION.

MR. McINNES enquired, Whether it is the intention of the Government to send the Chief Architect to British Columbia to investigate the charges made last Session against Mr. B. W. Pearse, Local Engineer, respecting the British Columbia Penitentiary, Victoria Post Office, etc., and if so, when.

MR. LANGEVIN : Until quite recently I was not aware that there had been a discussion on this matter, and that charges had been made against this officer while I was away last Session. The matter is being investigated, and I hope to be able to have it submitted to the Privy Council on my own report without being obliged to send the Chief Architect to British Columbia.

MR. BOURBEAU.

## MATANE WHARF.

## QUESTION.

MR. FISET enquired, Whether it is the intention of the Government to place a sum in the Estimates for the completion of the unfinished portion of the wharf at Matane.

MR. LANGEVIN : The Government is not in a position to proceed to the completion of these works. Last spring two of the piers were injured by the high water, and it is necessary that we should see in the coming spring whether the water and the ice will produce like results before we can decide whether we shall proceed with these works or not.

## AMERICAN RAILWAY DECOY AGENTS.

## QUESTION.

MR. TASSE enquired, Whether it is the intention of the Government to adopt rigorous measures to prevent the practice now and every year carried on by a certain number of agents of American railways, for purposes of speculation, of decoying, in most cases by means of false representations, the inhabitants of our rural districts to go and work in American manufactories.

MR. LANGEVIN : The Government would be happy to find some means of overcoming this difficulty, but have failed to do so up to the present moment. We would be pleased if the hon. gentleman would indicate to the Government some mode of obviating it.

## GOVERNMENT LANDS AT SOREL.

## QUESTION.

MR. VANASSE enquired, First, whether the Government own lands and buildings within the limits of the town of Sorel, the extent of the said properties, and whether they have been constantly under lease since 1st July, 1867, and up to this date ; second, whether the Government is still the owner of certain islands in the River St. Lawrence, opposite Sorel, the name of the said islands, their extent, and whether they have been at all times under lease from the 1st July, 1867, up to this date ; third, whether the Government intend to sell all or any of the said properties.

MR. LANGEVIN : I must request the hon. member to substitute for this question a notice of motion calling for the production of this information in

writing, as the supplying of it by word of mouth would be difficult, and would occupy too much time.

#### BAY ST. PAUL WHARF.

##### QUESTION.

MR. PERRAULT enquired, Whether the Government intend to construct, during the course of next season, or later, a wharf at the Bay St. Paul, in the county of Charlevoix, and to utilise for that purpose the pier which was there constructed.

MR. LANGEVIN : The Engineer has not yet made his report nor furnished his plans for this public work. If, however, I have been correctly informed as to the probable estimate for the construction, considerable modification must be made to allow of the Government considering the expediency of carrying this work into execution.

#### FISHERY AWARD—CLAIMS OF THE MARITIME PROVINCES.

##### RESOLUTIONS PROPOSED.

MR. MACDONNELL (Inverness) moved, That the House do now go into Committee of the Whole to consider the following Resolutions :—

1. *Resolved*, That the sum of \$5,500,000, paid by the Government of the United States to the Government of the United Kingdom, under the Fishery Award, was the ascertained amount of the excess in value of the privileges accorded under Articles 18 and 32 of the Washington Treaty to the citizens of the United States, over and above the privileges accorded by Articles 19 and 21 of said Treaty, to the subjects of Her Britannic Majesty.

2. *Resolved*, That the privileges so accorded to the citizens of the United States, consist in the "liberty to them in common with the subjects of Her Britannic Majesty, to take fish of every kind, except shell-fish, on the sea coast and shores, and in bays, harbours, and creeks of the Province of Quebec, Nova Scotia, New Brunswick, Newfoundland and Prince Edward Island, and of the several islands, thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the said coasts and shores and islands, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish, provided that in so doing they do not interfere with the rights of private property, or with British fishermen, in the peaceable enjoyment of any part of the sea coast, in their occupancy for the same purpose." It being understood by the high contracting parties, that the said liberty applies solely to the sea-fishery.

3. *Resolved*, That the said privileges accorded to the citizens of the United States, were territorial rights belonging to the dif-

ferent Provinces to which the fisheries in which they were granted are adjacent respectively.

4. *Resolved*, That the disadvantages and injury suffered by reason of the granting of said privileges to the citizens of the United States are of a local nature, and are suffered by the inhabitants of the several Provinces upon whose coasts the said privileges are enjoyed.

5. *Resolved*, That the Government of the United Kingdom have apportioned and paid to the said Province of Newfoundland the sum of \$1,000,000 as the estimated portion of the amount of said award to which the said Province was entitled, for such of the said privileges granted to the inhabitants of the United States, as are enjoyed by them on the coasts and sea shores of Newfoundland.

6. *Resolved*, That the balance of the amount of the said Award, namely, \$4,490,882.94, has been handed over by the Government of the United Kingdom to the Government of Canada.

7. *Resolved*, That it is the opinion of this House that the said other Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island, notwithstanding that they form a part of the Confederation of Canada, have each claims and rights to distributive shares of the said amount of said Award, according to the extent to which the said privileges were enjoyed on their respective sea coasts and shores, on the same principles on which the claims and rights of Newfoundland were recognised—and that the said claims and rights of the said other Provinces have not been impaired by the fact that they form a portion of said Confederation.

SIR SAMUEL L. TILLEY : I wish the hon. gentleman would let this matter stand. Certain returns have been asked for which are really indispensable to the discussion of the subject.

MR. MACDONNELL : I am sorry that I cannot accede to the request of the hon. member. I recall to mind the treatment I received at the hands of the Government during the last Session, in reference to a Bill I introduced. I was requested then to allow the matter to stand from time to time, until it was too late to take action, of which the Government afterwards took undue advantage and thus defeated the consideration of the Bill. I think the safest course to pursue now is to press the consideration of this question, particularly as this is the third time I have been asked to postpone it. The subject of these resolutions is one to which I would ask the earnest consideration and attention of the House. It is a question of vast importance beyond the mere question of the money involved. It is a question which deeply affects the political position and well-being of this Dominion. It is a question which has

arisen out of the Confederation of British North America and which could not be foreseen at the time of Confederation. It is a question which greatly agitates the public mind of Nova Scotia, Prince Edward Island, Quebec and New Brunswick. The question of the division of the Fishery Award is one which intimately interests those Provinces, and has been before the House on various occasions. It was brought before the House last Session by the hon. member for Gaspé (Mr. Fortin). At that time, however, I was displeased with the manner in which that hon. gentleman treated the subject. I felt aggrieved, as a representative of Nova Scotia, so deeply interested in this subject, to find that the hon. gentleman (Mr. Fortin) brought that subject before the House on a Saturday, when not one-fourth of the members of the House were in attendance—a non-Sessional day. I was sorry to find on that occasion, instead of the Treasury Benches being filled, only three or four Ministers were in their seats, and that the Government had treated this subject with very great indifference on that occasion, as on every other occasion when the subject was brought forward. It is known that the Local Government of Nova Scotia, over a year ago, made application to the Dominion Government for a portion of this money; that an Address of both Houses of that Province was sent to this Government for that purpose, and that up to this very day the Dominion Government has not deigned to reply to these applications. This question was not foreseen at Confederation; it has arisen out of the Union, but is not provided for by the terms of Union. It is said the whole Dominion owns the Fisheries. I say the Fisheries of the various Provinces are territorial rights; that the Fisheries of each are part and parcel of its public domain, and that, without Confederation, each would have received a portion of the Award. In proof of this position, I need only point out that Newfoundland has received a portion of this money. What are those Fishery rights? How have we them? Is it not by virtue of their adjacency to the various Provinces. Otherwise the Dominion would claim to have no rights in those Fishery waters. The jurisdiction, the property of each Province, extends three miles into the sea—or

a cannon-shot, as defined of old. What does "Phillimore's International Law" say on the subject? It says:

"Though the open sea be thus incapable of being subject to the rights of property or jurisdiction, yet reason, practice and authority have firmly settled that a different rule is applicable to certain portions of the sea.

"And first, with respect to that portion of the sea which washes the coast of an independent State. Various claims have been made and various opinions pronounced, at different epochs of history, as to the extent which territorial property and jurisdiction may be extended. But the rule of law may be now considered as fully established—namely, that this absolute property and jurisdiction does not extend, unless by the specific provisions of a Treaty, or an unquestioned usage, beyond a marine league (being three miles) or the distance of a cannon shot from the shore at low tide."

This high, unquestioned authority settles that this property, within the three-mile limit, is an absolute territorial property. The property of Prince Edward Island, for example, includes not only the dry land, but that and three miles of the sea all round its headlands, besides its bays. The Crown holds the title of this property as against all foreign nations. The Crown, as we know, is a mere fictitious term in this respect; the Crown is a mere trustee, holding property in every Province for the benefit of its inhabitants respectively. Although the Crown has a right to make Treaties and alienate or give away those fishing grounds, if it receive any consideration therefor, it is applied for the particular benefit of the people immediately interested in it. The case of Newfoundland, for instance, receiving the \$1,000,000, and indeed the Dominion receiving the balance. I take it as an axiom or principle which all will subscribe, that each of the several Provinces composing the Dominion, previous to Confederation, practically owned the fisheries adjacent to each, as well as the Crown Lands within its limits; that, while the patents or grants of the Crown lands were to be made out in the name of the Sovereign, the price of them inures to the benefit of the people of the colony interested; likewise, when there is a grant of fisheries, of what are a territorial property, enjoyed by the people of the Province by right of forming a portion of its domain, then those people have an equal right to receive the price or consideration for the transfer of that right, on the same principle as on the transfer of Crown lands,

I presume no hon. gentleman will gainsay or combat this position. That was the position before Confederation. Is there anything in the terms of Union or Act of Confederation which has divested the Provinces of those rights and transferred them to the Dominion? No. The Act is as silent as regards territorial rights in those waters as it is respecting the rights to the Crown lands. There is nothing in the Union Act transferring to the Dominion those territorial rights. What does the Confederation Act say in reference to the fisheries? Simply that the Parliament of Canada shall have power to make laws for the peace, order, and good government of Canada, in relation, among other subjects, to the sea coast and Inland Fisheries. [*Vide* sec. 91.] There is nothing in this or any other section transferring the rights in those Fisheries from the Provinces to the Dominion. One of the principles of Confederation was that each Province was to maintain its identity and its rights, in every respect, as they existed previous to Confederation, except in so far as they were curtailed by and transferred to the Dominion by the Act of Union. All contracts are construed strictly against the grantee. The grantee cannot take more than has been transferred to him. There is nothing in the compact of union giving the Fisheries to the Dominion. Therefore, if we find those rights belonged to the Provinces before Confederation, and I have shown they were not transferred, I ask, by what authority or act on the part of the several Provinces does the Government of the Dominion claim them. The Act of Confederation is not silent as to the specific interests given the Dominion in the various Provinces; and it is an old maxim that the inclusion of one thing is equal to the exclusion of others. If the powers of the Union Act has undertaken to specify distinctly what Provincial rights and properties are transferred to the Dominion, then all such not so specified continue the property of the several Provinces. Section 108 of the Act reads thus :

“The public works and property of each Province enumerated in the third schedule to this Act shall be the property of Canada.”

Our railways, penitentiaries, and other properties mentioned in the schedule, went to the Dominion; but it is silent in regard to the Fisheries, except as already

mentioned. It has been argued that the Dominion has to protect them. I admit it for argument's sake, although there is nothing in the Confederation Act to that effect. If the Dominion does so, very well. There is nothing in that Act to compel it to do so. The Act throws on the Dominion Government the duty or obligation of making laws for the good government and conduct of our Fisheries; but there is nothing in it as to the manner in which or by whom those Fisheries shall be preserved. The Dominion Government is vested with the power of making laws regarding all our Fisheries, whether private or public, although the former are civil rights. I admit, for the sake of argument, that the Dominion is under obligation to protect the Fisheries. I ask if that obligation can be discharged by, instead of doing so, becoming a party to their alienation or transfer to a foreign power? It is most iniquitous, wrongful and unjust for the Dominion Government, if while under the obligation to protect our Fisheries, it consents to a sale of them for \$5,500,000, and deprive the parties immediately interested in them, the practical owners of them, of the money which it pockets itself. It is said those rights belong to the Crown. So they do, but for the benefit of the people of the Provinces adjoining them. The Crown has undertaken to deal with them. It has already given to Newfoundland its share of the Award, and had we not Confederation, the British Government, acting for the Crown, would transfer to the several Provinces their proportion of the money as it has to Newfoundland. Owing to Confederation, the British Government has not communicated with the Local Governments. It communicates with them through the Government of the Dominion, and it has paid over to it the money for a proper distribution. The Dominion Government now occupies the position, in regard to this money and to the rights of the various Provinces, that the Imperial Government occupied towards those Provinces before Confederation. The Dominion holds this money to-day as a trustee for the several Provinces interested. Those Provinces have suffered a loss, whereas Ontario and British Columbia have suffered nothing, while Quebec has suffered very little. It is the people

of Nova Scotia, Prince Edward Island, New Brunswick, and a portion of Quebec, who have suffered, because they depended upon the Fisheries largely for their livelihood. Not only the fishermen were interested in this great industry, but the merchants, the manufacturers, and others who came into business relations with them. It may be said that those Provinces have suffered nothing, that it does not diminish the value of the Fisheries, to have the Americans fish in them. In answer to this, I have only to read an extract from a speech made by the hon. the Minister of Railways and Canals, one of those powerful speeches in which he advocated in the Legislature of Nova Scotia, the Union of the Provinces. In 1866, that hon. gentleman said :

“The time has passed when these Provinces would not have to contribute largely to the defences of the country. Either the fishing grounds, so valuable to us, must be given up without a struggle to the parties who have been accustomed in the neighbouring States to use them for years, or the cost of defending them must be largely thrown upon those Provinces.”

Now it cannot be said by that hon. gentleman that the Fisheries have not been injured, for here he says that they have to be protected, that without Confederation we would have to protect them ourselves. The British Government have been protecting our Fisheries for years by her cruisers, and why should that be if they were incapable of being injured by the Americans fishing in them? The best proof that these Fisheries were susceptible of being injured is the fact that it has been deemed necessary to protect them. I would ask what the Province of Ontario gave in consideration for those fisheries? We have thrown into this Confederation, apart from the Fisheries, in proportion to our population, as much as Ontario has. What have the Upper Provinces thrown into the Union as an offset to our Fisheries if they now claim a portion of the money? Ought we to lose our Fisheries by this Confederation, when Ontario has lost nothing by it? When the delegates of Nova Scotia, New Brunswick, and Prince Edward Island met together to form a Maritime Union, and were interrupted by the arrival among them of the Canadian delegates, if, on that occasion, the delegates from old Canada had proposed that under this Confederation our Fisheries were to be alienated, and the price there-

of, five millions and a half dollars, was to go into the Dominion Treasury, I ask, if there was a man in the Maritime Provinces that would have consented to that Union? There would not have been an elector in the Maritime Provinces to raise his hand in favour of Confederation with such a proviso. Even the hon. the Minister of Railways and Canals himself would have recoiled from such a proposition. Hon. gentlemen have made strenuous efforts to get Newfoundland to enter the Union. They have courted Newfoundland, as they courted the Maritime Provinces, to get her to come into the Union, but the way these provinces are treated now is small encouragement for her to come in. The Fisheries are the birthright of the people of those Provinces; they were the source of livelihood to many when the country was a wilderness; and I shall be much surprised if I find one hon. gentleman from the great and wealthy Province of Ontario who would be mean enough to say that that Province wants a part of the price of the sale of those Fisheries, that were almost the sole resource of the poor fishermen of Gaspé, the iron-bound coast of Southern Nova Scotia, and of Cape Breton and Prince Edward Island. I do not expect to find an hon. gentleman in this House to record a vote to perpetuate such an injustice. As to the protection of our Fisheries, I say in all gravity we do not wish our Fisheries protected in this manner. We do not want them protected by selling them to aliens and depriving us of their price. It would be better for us to have our Fisheries used in common by the people of the United States and ourselves, without any Protection whatever. Our Fisheries were protected before we entered into Confederation, and I feel satisfied that the British Government would protect them still. Her men-of-war might as well hover around our coasts to protect our Fisheries and keep her marines employed at sea as to lie idle in the docks. We have had many grievances under Confederation, and I must say that the result of it, so far, has proved very different from what I myself anticipated, and I was one of those who took an active part in carrying it into effect. This is not the only injury that we have suffered under Confederation. It is well known that when the

Treaty of Washington was being negotiated, Nova Scotia was most anxious to secure the admission of her coal into the United States free. Our Fisheries were the only lever we had to get the Americans to admit our coal free. What do we find to-day? We find our Fisheries taken from us, and bartered away, and for what? In consideration of our getting access to their markets with our fish, markets already glutted with fish caught in our own waters. We find that for the last twelve months the exportation of our coal to the United States has decreased by 36,000 tons, by reason of the high duties which have been placed upon the manufactures of the United States, which have diminished trade between Nova Scotia and that country. I hope hon. gentlemen will take a just and equitable view of this question. It is said we have no legal right to this money. I do not think that, in considering the various public questions that arise between this Dominion and the various Provinces thereof, we are to be bound down by the cast-iron rules of law. I believe these questions must be settled according to the immutable laws of justice and equity as between the people of the various sections of this Dominion. It cannot be denied that we have an equitable right to a part of this money. I go further, I say we have a legal right also. Our several Provinces are still separate and distinct, and have the same rights as they had before Confederation, with the exception of those particular subjects that are specified in the Act of Union as coming within the purview of the Dominion Government. I do not blame the gentlemen who promoted the Act of Union for having no proviso in it relative to this matter. It is one which could not be foreseen. The delegates from the Maritime Provinces never had any idea that their Fisheries would be sold for this sum of money and that it would be appropriated by the Dominion. Had they any foreknowledge of that fact, they would have had a provision in the Act for giving the several Provinces the share to which they are entitled and now claim. I say again that I feel that this money has been placed in the hands of the Dominion Government as a trust; and if this Government and this House do not make a distribution of

it as demanded, and admit the right of the Provinces interested, there is but one course left for them, and that is to appeal to the British Government. I believe the British Government should not have handed this money over to the Dominion Government without first knowing how it should be apportioned. The money did not belong to Great Britain. The British Government were the trustees of this money for the people having claims upon it. To-day the Government of the Dominion are the trustees for the same purpose, and I say that these Provinces will take this matter to the foot of the Throne, if necessary, in order to obtain justice.

MR. RICHEY: As the Government have intimated their intention of bringing down the papers, and I think it is desirable to have all information possible on such an important subject, I move the adjournment of the debate.

MR. FLYNN: I am very much surprised that the hon. member for Halifax (Mr. Richey) should have made the motion before the House. I should have thought he would have been most anxious for the discussion of that question, considering the extent to which the county he represents is interested in the subject. This motion has been on the Notice Paper for several weeks, and on two occasions my hon. friend from Inverness (Mr. MacDonnell) has consented to the postponement of the discussion. If the motion for the adjournment of the debate is carried, it is questionable whether we shall reach the subject again this Session. That being the case, I do not think I should be doing justice to the Province of Nova Scotia and the county I have the honour to represent, if I did not take this opportunity of stating my views upon the question. At the time of the adoption of the Washington Treaty, it was considered that we were not getting an equivalent for conceding to American citizens the right to participate in the inshore Fisheries of the Maritime Provinces. By the terms of that Treaty we obtained the right to participate in the American Fisheries and to have our fish admitted free of duty to the United States. I need not say to the House, at all events I need not say to hon. gentlemen representing the Maritime Provinces, of how little value the



right to participate in the American Fisheries was to Canada. The only other concession guaranteed was the admission of our fish free of duty. I contend that this was not an advantage of very great moment to the people of the Maritime Provinces. The advantage, if there was any, was obtained by the people of the United States. They alone paid the duty, and they, as consumers, naturally secured the benefits arising from its remission. Consequently, it was contended, and very fairly, that not having received an equivalent for the right of permitting American citizens to participate in our inshore Fisheries, we should get some compensation. The matter was left to arbitration. The sum claimed was \$12,000,000, and the Award made was \$5,500,000. This Award proves conclusively the value of the right to participate in those inshore Fisheries. When we look to the number of American vessels engaged in this Fishery, to the amount of capital embarked in it, to the large towns built up in the eastern part of Maine and Massachusetts, largely by those who fished on our inshore waters during the Reciprocity Treaty that existed from 1854 to 1864, and afterwards, under the Washington Treaty, we can see that the Award was largely based on the benefits derived by American fishermen. An important element in the consideration of that Award was also the loss sustained by the fishermen of the Maritime Provinces. It was contended that by conceding the right to American citizens to participate in our inshore Fisheries, they were enabled to compete with our fishermen in the American market, and by making the supply more abundant so cheapen the fish that were caught by our fishermen. If they did not fish in our waters our fishermen would supply the American markets. If it had not been for testimony to that effect the Award would not have been anything like what it was. In regard to the distribution of this Award, I believe that the people of the Maritime Provinces alone are entitled in equity and justice to it, because their interests alone are affected by the privileges given to American fishermen. The other portions of the Dominion do not feel in any way the effect of this privilege. Under the circumstances I do not hesitate to say that this money should be disposed of in

such a way that the people of the Maritime Provinces and the fishermen will get the benefit of it. It is not for me to point out the mode in which it should be expended. There are a variety of ways in which the fishermen and the Province generally might be benefitted. We are in great need of breakwaters and harbour protection in my county, and in consequence of our not having these our fishermen sometimes can only fish three days out of the six. During the time I have been in this House, I have always felt that it is a very difficult matter to get even a small amount for harbour improvements in Nova Scotia. It has been stated that the sum of \$40,000,000 has already been spent on the Canadian Pacific Railway; we have had to pay in the past our share of taxation for the construction of that gigantic work, and in the future this taxation will be largely increased by the National Policy, from which the people of the Maritime Provinces, and particularly the fishermen, can derive no possible benefit. On the contrary, that policy has been ruinous to them by increasing the cost of everything they use in their arduous avocation. I trust that hon. gentlemen representing the Maritime Provinces, no matter on which side of politics, will oppose this motion, and demand that the fishermen of the Maritime Provinces be accorded their rights. I trust this motion will not carry, and that we will now have a fair and full discussion of this important question.

MR. KILLAM: I do not propose to detain the House with any lengthened remarks on this question, but I do think that at the present time we should receive some indication of the Government policy. This question has been before Parliament for nearly two years now, and it devolves upon the Government to deal with it at once. I suppose hon. gentlemen will tell us by-and-bye that they have a policy, and that it will be brought down in due time. I think we should be informed, and that without delay, whether it is the intention of the Government to divide this Fishery Award between the Maritime Provinces—we, whose interests were traded away, and who alone are affected by the Washington Treaty, as far as this Fishery Award is concerned—whether this money is to be used in such a manner as will promote the interests

of our Fisheries generally, as suggested by the hon. member for Gaspé last year, or whether it is to be sunk in the Pacific Railway construction. The people of the Maritime Provinces believe that their interests will not be sufficiently protected, if such large amounts are to be spent in the construction of railways in the North-West and in British Columbia. They are quite content to have any legitimate amount spent in that direction; but when we find that it is almost impossible to get a sufficient sum to establish steam communication between Prince Edward Island and the main land, and that the policy of the Government is rather to destroy and break down railway communications already existing in the Lower Provinces, our people are rendered dissatisfied and discontented. All the papers of any interest are now before us in the correspondence laid on the Table of the House of Assembly of Nova Scotia, and accessible to any members of this House. They only show that the Dominion Government has refused to answer the repeated applications of the Provincial Secretary, and I believe the excuse of the hon. the Minister of Finance is only to enable him to get clear of the matter for this Session. I trust this debate will not be adjourned; delay is altogether unnecessary, and the question of the disposal of the Fishery Award should be determined upon at once.

MR. DALY: I believe we are now discussing the question as to the adjournment of the debate, and not the merits of the proposed resolutions. It is not my intention to yield to the hon. member for Richmond (Mr. Flynn), or to any other hon. member, in my desire to obtain from the Government that justice which the fishermen deserve at their hands in connection with this question; and I believe the real friends of the fishermen sit on this side of the House. But when a member of the Government has asked that this discussion should be adjourned for the purpose of bringing down papers, I do think it most unwise of hon. gentlemen opposite to urge on the discussion at the present moment, when it cannot be as thorough and exhaustive as could be wished. I beg, therefore, to second the motion of my hon. colleague, in order that we may be able at a future time to discuss the sub-

ject more fully and satisfactorily and with better prospects of attaining the object we desire.

MR. ROBERTSON (Shelburne): As one of the representatives of the Province of Nova Scotia, I think it a great injustice that the motion moved and seconded by the two members for Halifax should be allowed to pass. The consideration of this subject has been adjourned before on two or three occasions, at the wish of the Government, and now every effort is being made to stifle discussion, and, if the motion is allowed to carry, we will not be likely to have the subject brought up again during this Session. I believe, with the rest of the members who have spoken on this side of the House, that we have a strong claim to a portion of the Fishery Award. There are very few of the representatives from the Maritime Provinces—even the supporters of the Government—who do not strongly agree with this view. For the last three or four months the question has been agitated in my Province. At the annual meeting of the Chamber of Commerce, held in Halifax the other day, this question was fully discussed by the merchants of that city, and it has also recently been brought before the Local Legislature of Nova Scotia. One of the reasons put forth why Nova Scotia claims a portion of this award is that, while the fisheries of some of the Provinces, including Nova Scotia, were sold to the Americans, the fisheries of other Provinces remain. The fisheries of British Columbia, the fisheries of Ontario, and the fisheries of the North-West, in the Hudson Bay, remain in the possession of this Dominion, and the only Provinces affected by the Fishery Award are the Maritime Provinces. If a share in this award is not granted to them, I do not hesitate to say that the Confederation is in danger. The strongest supporters of the Government are advocates of this amount being given to the Maritime Provinces. Correspondence has been going on through the whole year; and now, when the matter is before the House, it is attempted to put it off. I believe that, if this question goes over now, it is the last we shall hear of it, and very little of the Fishery Award will find its way into the coffers of the Maritime Provinces. I hope that this

debate will go on, and that we shall have a full and free discussion of this question to-day.

MR. YEO: I do not see why this debate should be stopped. I do not think that we could have a better opportunity of discussing the question. I feel surprised that any hon. gentleman from the Maritime Provinces would, after the motion has been put off so often, try now to hinder its being discussed. I do not see what other papers than those before the House are required. I am satisfied that Prince Edward Island has a just claim to a very large share of the Fishery Award. It is well known that if it had not been for the exertions of the able counsel from the Island, and the valuable testimony of fishermen from that Province, showing the great value of the fishing round its coast, the Award would not have been nearly as large as it was. Newfoundland has now its share of the Award, which was given to it without question; and Prince Edward Island stands, in as good a position with respect to the Award, under the Washington Treaty, as that Province did. I do not see any reason why the Government of the Dominion should not pay the money over to the Island as the Imperial Government did to Newfoundland, without hesitation or delay, as they must know that in withholding from the Island a share of the Award they are keeping from it what is its just right. The people of Prince Edward Island feel deeply on this subject, and are determined to have their rights. If the Dominion Government will not do them justice, they will apply to the Imperial Government for a share of the compensation for the valuable property that has been taken from them. It cannot be said that the Island has slept on its rights in this matter. In 1878 the Provincial Government forwarded an able Minute of Council to the Secretary of State, in which were set forth the grounds of the Island's claim to a share of the Fishery Award. In 1879 a second memorial was sent, fortified by a joint resolution of both branches of the Provincial Legislature, insisting upon the same claim. No notice was taken of these applications until very recently, when the Committee of the Privy Council reported on the claim, giving the Island a point blank refusal. But neither

the people nor the Government of the Island will accept this refusal as final. They will, as I before stated, go for justice to the foot of the Throne. Last year I asked for returns with respect to the Award, and was the only member from the Island who then pressed its claim for a share of the Fishery Award. The reply I received from the Government was not at all encouraging. They, in fact, did not appear to wish to have the question raised at all. At the last part of the Session a resolution was before the House, proposing that the Fishery compensation be expended in harbour and other improvements. This I altogether disapproved of, as the Dominion Government are bound by the terms of Confederation to look after these works and to protect the Fisheries. I looked upon this proposition as a device to keep the Province out of its just rights, and considered those Island members who supported it were not acting in the interest of the Province they represented. Prince Edward Island was induced to enter the Confederation by promises, the greater number of which have been broken. We were then assured by the leading advocates of Confederation that the Tariff would never exceed 15 per cent., but now on nearly all imported goods it is double that amount. But, although this Tariff is now felt to be oppressive by the people of the Island, and two of its representatives supporting the Government have admitted this, they still support the Government that imposes these very duties, and will vote for their continuance in office. They ask for a share of the Fishery Award to compensate the people of the Island for the injustice done them by the Tariff. But the two subjects have no connection with each other. The Island bases its claims to a share of the Fishery Award on just and reasonable grounds, and not as compensation for the injury which the oppressive Tariff that the hon. members for the Island and their leaders have imposed upon its inhabitants.

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

#### After Recess.

MR. YEO: If Nova Scotia and New Brunswick have anything like a case, the Island must have a far better one. Prince Edward Island was an independent Colony when the Washington Treaty was nego-

tiated. The right hon. leader of the Government by that Treaty sold the Fisheries of the Island over the heads of its people, and now he refuses to give them any share of the money he received for them. Being very anxious to see the grounds upon which this act of gross injustice was perpetrated, I asked for the report of the Sub-Committee of the Privy Council. When, after some unaccountable delay, I received it, I was surprised to see that the Island had been refused what the vast majority of its inhabitants believed to be their undeniable right on a mere legal quirk. Because the Island joined the Confederation on the very day that the law enacted by the Congress of the United States confirming the Washington Treaty took effect, the Government of the Dominion consider that the Island has lost its right to any interest it then had to a share of the compensation to be awarded it for the loss of its Fisheries. The Island was a party to the Fishery provisions of the Washington Treaty. The consent of its Legislature was required to give effect to those provisions. That consent was given, and a law was enacted confirming that part of the Treaty. The Island had done its part, and it had no control over the action of the American Congress; it is therefore unjust that the mere accident of its appointing the 1st day of July, 1873 for the Treaty to go into effect, should deprive the Province of any right that it possessed before it entered the Confederation on that day. If the right hon. leader of the Government takes shelter under a technical point like this, which an honest man in his private dealings would scorn to resort to, he would do the people of Prince Edward Island a very great wrong. I did expect to see in the report of the Sub-Committee some reply to the arguments and representations contained in the Minutes of Council from the Island, and some opinion on the justice and reasonableness of the application of its Government, and I certainly did not expect to see in it what looks very much like a pretext to deprive the Island of what the framers of that report seemed to regard as its just right. For my own part, I do not believe that the Island ever gave up to the Dominion the rights which as an independent Province it possessed in its inshore Fisheries. The

inshore Fisheries were always regarded as the property of the Colony, and the Imperial Government protected their rights from invasion from the fishermen of foreign nations. They were a source of wealth to the Colony, and afforded many of its inhabitants their only means of support. So fully was this right recognised that even the Imperial Government did not permit the Americans to use the inshore Fisheries of the Island without first gaining the consent of its Legislature. The Dominion Government is now acting with Prince Edward Island in a far more high-handed manner, and with less consideration for the rights of its inhabitants, than ever the Government of the Mother Country did. I wish it to be understood that the people of the Island do not wish their representatives to come to the Dominion Government begging for a share of the Fishery Award. They ask in this matter no favour from the Dominion Government. All that they want is justice. Neither do they ask for a share of the Fishery Award as a compensation for the injury done them by the Protective Tariff. That is quite another matter, and as soon as they have an opportunity they will call their representatives to account for the action they have taken with regard to it. What their opinion is with respect to the National Policy, and how they will treat those who have helped to impose it on the country, may be inferred from the altered tone of some hon. gentleman from the Island with regard to it.

MR. MUTTART: One would think, to hear the hon. leader of the Opposition from Prince Edward Island speak, that he is the only representative from that Province who is interested in the Fishery Award. He talked about servile followers, and he said a good deal about being the only one standing up for the rights of Prince Edward Island. This is one of those truths of his, like his denial of the transaction in connection with James White's resignation. I, for one, am particularly anxious to see this matter go to a vote, to see who is for and who is against a division of this Fishery Award. It has been insinuated by some of the hon. members of the Opposition that they would give us a share of this Award if they were in power. This I doubt. However, this has been said, I think by the hon. member for Shelburne (Mr.

Robertson); at any rate something has been thrown out to that effect. I would, therefore, like to see a division taken upon this question, no matter what the result might be. There is no doubt the Island has a special claim over and above the other Provinces; and we are prepared to join hands in any undertaking to bring about a fair division of the Fishery Award. I hope that the hon. member for Prince, P. E. I., (Mr. Yeo) will confine himself to facts, and not take credit to himself above and beyond all others. He left last year before the Session broke up; and in this way he may not have been aware that other hon. members stood up for their rights on this question in this House. For my part, I do not intend to give up pressing our claims. We do not come in the capacity of beggars, hat in hand, asking for what does not belong to us; but we believe that the Maritime Provinces being the only sufferers, they should be remunerated in proportion to the loss sustained by them. Prince Edward Island's claim to a share of the Fishery Award have been already fully submitted for the consideration of the Government; and I trust that, although so far efforts in that direction have not been successful, we will yet obtain for our Province remuneration for the loss we have sustained in having our valuable Fisheries handed over to the Americans for a term of years. Acting on the principle that what was obtained from the Fisheries should be given back to the Provinces where those fisheries belong, it is hoped the Government may yet decide to give the interest, at least, of the amount so obtained to the several Maritime Provinces in proportion to their just claims.

MR. HACKETT: I would like to make a few remarks on this question. I have already addressed the House on a similar motion, but I think it my duty now to make a few remarks upon this important matter. When I last addressed the House I was not aware that a Committee of the Privy Council had decided that Prince Edward Island had no special claim to a portion of the Fishery Award. On that occasion I expressed myself strongly in the contention that Prince Edward Island should receive a special portion of the Fishery Award; and I based

my argument on what was understood previous to our coming into the Confederation, and that our coming into Confederation by a mere accident should not prejudice our claim to a portion of this Award. Since then the papers have come down, and I see the reasons for objecting to this. With all due deference to the opinion of the hon. gentlemen who composed this Sub-Committee, I must say that they did not give that attention to the matter which its importance demanded. It is well-known that this particular clause of the Treaty was to be agreed to by the Parliament of Great Britain, the Parliament of the Dominion of Canada, the Legislature of Prince Edward Island, and the Congress of the United States. The Commissioners said that on account of Prince Edward Island coming into Confederation on the 1st of July, she had no right to a portion of the Award. It is clear to me, however, that our claims should not be contingent on the legislation of any other country. The mere reason of the Island coming into Confederation on July 1, 1873, is no reason why its rights should be overlooked in this respect. I hope the Government will reconsider their decision, and will yet give the Island its just rights in this matter. I was a little surprised to hear my hon. colleague from Prince, P. E. I. (Mr. Yeo), state that he was the only member who had pressed this matter. He must have forgotten what passed at the last Session of Parliament, when he only made one small speech in support of this proposition. A motion for the distribution of the Award was made by the hon. member for Gaspé (Mr. Fortin), and I looked in vain in the Debates for a speech in rebuttal from the hon. gentleman for Prince county. If the House had agreed with the hon. member for Gaspé, the Award might have been distributed, and Prince Edward Island would have been left out in the cold. I believe it was the intention of the hon. gentleman to make this a party question; but it is not a party question. It affects the whole people of the Island without regard to party. We do not base our claim on the National Policy or anything of that kind. We think our claim is an equitable one, and we want it passed on its own merits. I trust the Government will come to the conclusion that Prince

Edward Island is entitled to a fair proportion of the Award.

SIR SAMUEL L. TILLEY : The hon. mover of the motion appears to be under the impression that the object of the Government is to postpone this matter indefinitely. I may say that the Government have no such desire. They think that this matter should be settled during the present Session. As I stated before, however, there are reasons why this debate should not have taken place to-day, and I am in favour of the motion of my hon. friend behind me (Mr. Richey) for the adjournment of the debate. The Government will be prepared to take up this matter at an early day.

MR. MACKENZIE : The hon. member has had the notice on the Paper for weeks, and he has been put off night after night. He is obliged to be absent from the House for awhile, and yet the hon. gentleman (Sir Samuel L. Tilley) is opposed to the debate proceeding, without assigning any reason whatever. The hon. the Finance Minister has not stated what papers he wants to have down. Now, the principle on which the Government must act must be perfectly well-known to Ministers, and I do not see any valid reason for postponing this matter.

MR. MACDONNELL (Inverness) : I was surprised to find that this discussion was desired to be adjourned, and I was more surprised to find that the hon. member for Halifax had the hardihood to rise and move the motion. It was not enough he should do so, but his colleague had to second the motion. If there is any constituency that is more interested in this matter than another, it is that of Halifax. It is the centre of the trade of Nova Scotia, and its population is largely interested in the Fisheries and the resolutions before the House. I can easily understand why the Government want to shirk this question. Their silence, ever since the money was paid, shows that they do not wish to grapple with it. But notwithstanding the dubious attitude of the Government, and all their ingenuity, the electors of the county of Halifax will not have the wool drawn over their eyes. They understand this question, and will refuse to be hoodwinked by their representative or the Government. The hon. members for Halifax are afraid to vote against the resolutions, but more afraid

to vote against the Government. I listened with amazement to the remarks of the hon. member for King's, P.E.I., (Mr. Muttart) and for Prince (Mr. Hackett). The hon. gentleman whom they attacked (Mr. Yeo) is the body and soul of the representation of the tight little Island. He alone fights truly for its share of the Award money. He is a unit on the subject. His position is no ambiguous one. He is more than equal to all the other representatives from that Province together, who, instead of assisting him and standing together, shoulder to shoulder, to compel the Government to disgorge this money, they have pounced upon him with furious abuse. They never moved from their seats to speak on the subject, and were about to let the motion to adjourn pass *sub silentio*, till they were wakened up by the hon. member for Prince (Mr. Yeo). It is an absurd and cowardly proposition for the Government to adjourn this debate. Three weeks have elapsed since I introduced the resolutions before the House. Three times did I postpone their consideration, at the request of the Government, who, ever since they received this money, have treated the applications of Nova Scotia for a share of it with silent and supreme contempt, instead of taking a manly and frank position, and, if opposed to the claim, not to shrink from announcing so. When the subject was before the House during last Session, there were but three of the twelve Ministers composing the Cabinet in their seats. The hon. the Minister of Railways and Canals did not deign to move out of his office and was not seen at all in the House that day. Sir, I awaited some action on the part of the Government on this important subject for over a year. I awaited this Session until it was well advanced and seeing that their policy was to shirk the question, I thought the time had come to bring it before the House, as I have done by the resolutions on the Table. I hoped that if the Government declined to bring the matter forward, some supporter of it, who had more influence with it than I have, would do so. I waited in vain, Sir. The people, the Government and the Legislature of Nova Scotia are looking with anxiety for a speedy decision in this matter, and I regret exceedingly that the Government

and their supporters are playing a double and cowardly game. I believe I have done my duty in connection with this important question, and only wish that hon. gentlemen supporting the Government, would do theirs. I have brought the subject squarely before the House, and trust it will deal with it as becomes its dignity and honour.

SIR CHARLES TUPPER: I am a little surprised at the tone given this debate by the hon. gentleman who has just sat down. In my experience in Parliament, I do not remember an occasion on which a member of a small minority, anxious to obtain favourable consideration for a measure in which he thought his constituents were interested, ever attempted the line of discussion pursued by the hon. member for Inverness (Mr. MacDonnell) to-night. We are now discussing a motion for the adjournment of the debate, and not the substantive proposition itself, and I do not intend until this motion is disposed of, to refer to the very important question in the resolution. I wish to draw the attention of the House to the very extraordinary position he has taken: when met by a proposal from a gentleman just as deeply interested in this question as himself, and representing constituents as deeply interested in it as those of the hon. member for Inverness, to adjourn the debate—and when informed that the Government were prepared to give it the fullest and fairest consideration, but wished a postponement of the discussion till they could lay on the Table certain papers that are believed to have an important bearing on the subject, the hon. gentleman instead of at once accepting the statement of Ministers, which is always accepted on such occasions, persists in his motion. What is the conclusion such a course suggests? That the hon. member for Inverness is not sincere, and only seeks an occasion to assault the Government, and place his own views in such a position of antagonism to hon. gentlemen on the Government side as to render it impossible for any suitable consideration to be given his proposition; that, in fact, his object is not to subserve the interests of the fishermen or the Maritime Provinces, but purely and simply to endeavour to obtain a little party advantage at the expense of the parties whose interests he has magnanimously taken under his charge.

MR. MACDONNELL.

That hon. gentleman says, most plaintively, that for years this matter has been allowed to rest. Let him say why, when a member of a party, possessing the Government and a large majority in this House, he sat dumb, not having a word to say in behalf of his constituents in relation to this question.

MR. MACDONNELL: Does the hon. gentleman say the money was paid by the United States during the time of the late Canadian Government?

SIR CHARLES TUPPER: If the hon. gentleman thinks he is going to escape by an insignificant quibble of that kind he is mistaken. I say the Fishery Award was met then, and there was every reason to suppose it would be paid.

MR. MACDONNELL: The matter was still in doubt.

SIR CHARLES TUPPER: No doubt that left the hon. gentleman quiescent when his advocacy of that claim would have given the late Government embarrassment, when he was giving zealous support to a Minister representing Nova Scotia and the city and county of Halifax. Why did he not then press that claim, if he thought it just? He says he is going to appeal to the Imperial Government; was it not the time to appeal before the money was paid over? He had no word to utter or question to put to the late Government on this subject, for fear of troubling it and its member from Halifax. The hon. member for Inverness did not then ask, would the money go into the Consolidated Fund, or be divided among the fishing interests in virtue of their special claims. He supported very quietly a Government that had as much power to deal with it as the present. He will have to speak longer and louder, and adopt a still more violent tone, in order to convince the most ignorant and benighted of his constituents that he is sincere at present or has any other object than raising a party issue and dealing with it from a party standpoint, in the manner best calculated to defeat that professed object. He mistakes the intelligence of the people and the House if he thinks he can, at this late hour, adopt this highly offensive tone—a tone calculated to damage beyond measure, the very question he deals with and the interests he pretends such anxiety to promote.

MR. ANGLIN: We must all be sur-

prised at the remarks of the hon. the Minister of Railways on the alleged offensive tone of the hon. member for Inverness (Mr. MacDonnell). The peculiar fashion and special faculty of that hon. Minister is to charge hon. gentlemen on this side with a want of sincerity, honesty, intelligence and courtesy—in fact with a want of all the qualities which gentlemen ought to possess. I cannot understand how the hon. member for Inverness, even if he desired it, could use this question for a party purpose, or with any view of embarrassing the Government any more than the Opposition. The assertion that that hon. gentleman should have made this motion in 1878, is, I think, utterly preposterous. The Award had been made, but the money was not paid over; and there was much room to doubt whether the United States Government would or would not pay it over. The United States Secretary of State had protested strongly against the Award to the British Government. Under those circumstances it would have been utterly improper for any hon. member of this Parliament to raise a question as to how this money should be appropriated, as it would have been improper on the part of any Government supporter to have assumed that the Government would not distribute that money justly, properly and fairly. What passed between the hon. member for Inverness and the late Government on this subject, is not known to any of us. If he had raised the question, he would have been acting within his duty, perhaps, as the representative of a fishing district; but he would not have been neglectful of his duty if he had hesitated to press that matter under those circumstances. Hon. members cannot be divided on this question by party lines. Hon. members from Prince Edward Island united in saying that that Province holds a peculiar position with reference to this money, having different claims from those of any other Province. Again, the hon. member for Inverness, in his able presentation of his case, raised an entirely new question—that of the territorial rights of the various Provinces. I believe that if before Confederation the various Provinces possessed, as he alleged, full territorial rights over the waters within three miles of their coasts, these waters remain still within provincial territory; and we have

no more right to dispose of any of those rights than of any portion of the lands within any Province. But there is very strong reason to doubt that the waters on the shores of the Provinces were ever made a portion of their territory respectively. I think, notwithstanding the able argument of my hon. friend (Mr. MacDonnell), that the old Imperial doctrine was, that the provincial territory extended only to low-water mark, and that all beyond formed a part of the Province before Confederation. My impression is that the first provision as to the jurisdiction of Canada over our Coast Fisheries is found in the Confederation Act itself. I think it may be fairly presumed that this question has received the full consideration of the Government by this time. New Brunswick has also applied for a portion of the Fishery Award, as the price of her Fisheries, and so have Prince Edward Island and Nova Scotia. So the whole question must necessarily have engaged the attention of the Dominion Government more than once within the last year or two; and when we are asked to postpone the debate, because the Government are not prepared to take part in it, we are entitled to have a little further explanation before the debate is postponed. If Ministers are prepared to say that they have not yet made up their minds as to whether the Lower Provinces have or have not any claim, or to ask time to arrive at a conclusion, I will say they are entitled to it, and that the debate should be adjourned; but to ask us to adjourn a debate, which has been postponed time and again, in order that some papers may be brought down, of the value of which we know nothing, and which we cannot imagine to have any value, is asking too much of us at this time. I believe that, in all equity and justice this money, obtained as the price of our Fisheries, ought to be used for the benefit of the people living on our coasts, who make their living by fishing, and who, by the pursuit of their arduous and hazardous occupation, add so much to the wealth of the Dominion. I see nothing in the Estimates for the benefit of this class. While the Government are pouring out millions on the North-West and the Pacific coast, all the services in the Lower Provinces are absolutely starved, and especially those



from which the fishermen would have derived advantage. Not a dollar is to be spent on the fishermen of New Brunswick, and scarcely anything on the Nova Scotians; though, thanks no doubt to the care of the hon. the Minister of Public Works, there will be some expenditure for the benefit of his Province, Quebec. I cannot see any evidence that the Government have come to the conclusion that the fishermen have any special claims on this fund, or on their consideration, by reason of the fact that this large amount of money has been paid for privileges which were practically enjoyed by the fishermen only, and for that which, if anything was taken away, was really taken from the fishermen.

MR. BRECKEN: I agree with a good deal of what has fallen from the hon. the Minister of Railways, with respect to the very extraordinary course which the hon. member for Inverness (Mr. MacDonnell) has pursued in introducing this important subject. I did hope that the hon. members from the Lower Provinces, when they braced themselves up to meet this question, would forget party feeling and band together in such a way as to convince the Government that they really and truly believed in the justice and equity of the cause they were advocating. I was surprised and disappointed when such a fierce attack was made upon the hon. member for Halifax (Mr. Richey) for moving the adjournment of this debate. At once hon. members from the Maritime Provinces, whose interest it should be to strengthen our hands, pounced upon my hon. friend from Halifax, and charged him with having moved the adjournment of the debate for the purpose of indefinitely postponing the discussion of this question. Even the hon. member for Prince, P.E.I., (Mr. Yeo) charged his fellow-representatives with being servile followers of the Government, ready to do their bidding at the cost of the interest of their constituents on the Island, and that we were hollow-hearted in the advocacy of this cause. Charges of this nature, coming from the hon. member for Prince county, are not very disturbing. The hon. member for Inverness (Mr. MacDonnell) had not been on his feet five minutes, attributing most unfairly and unjustly partisan and unpatriotic motives to his fellow-workers,

MR. ANGLIN.

when I discovered he was describing his own case exactly. The hon. member for Prince, (Mr. Yeo) has been eloquent in describing his valorous conduct and great services to Prince Edward Island on this question. This is the first I have heard or known of the valuable services of that hon. gentleman. The hon. member for Inverness has undertaken to lecture my hon. colleagues who support the Government, and has attributed to them unmanly motives. If he wanted to destroy his case, and convince this House that he himself was acting the *role* of a partisan, he could not have taken a more effectual course. The hon. the Minister of Railways stated common prudence should have dictated to the hon. member for Inverness a different line of action. He, the member for Inverness, was a member of a small minority in this House, and while he pretended to base his case upon the broad principles of equity and justice, rather than on the strict rules of law; he, instead of appealing to the sense of justice of the Government before he had any evidence of insincerity, charges them with an attempt to prevent discussion on this vital question, and refuses to take the assurance of the hon. the Finance Minister that the Government in asking for a postponement, did so simply that documents now in course of preparation, which have reference to this subject, should be laid before the House, and that the Government had no desire to evade the discussion, but, on the contrary, were desirous that it should be debated this Session. For myself, I may say I would like to see the promised documents. I am familiar with the correspondence that has emanated from Prince Edward Island, and the answer of this Government thereto, but I am not familiar with the documents that have emanated from the other Provinces. Notwithstanding the taunts thrown out by the hon. members for Inverness and Prince, I intend to vote for the adjournment. I have sufficient confidence in the sincerity of the hon. Ministers of Finance and Railways when they tell this House that they are desirous of having this question disposed of this Session, and to take them at their word; and I tell the hon. member that if he really wants some substantial results to flow from the action he has taken in bringing in his resolutions, he had better be less violent in his attacks, and not

jump at the conclusion that we are likely to see this discussion indefinitely postponed. I have already urged the special and peculiar claims of Prince Edward Island upon the consideration of this Government to a share of the Award; but as we are now speaking to the question of adjournment, and as there will be another opportunity, I will not detain the House at present, further than to urge a point that has not as yet been noticed. I would direct the attention of the House to the position of Newfoundland. It is urged by those who oppose the distribution of the Award among the fishing Provinces, that the fishing territory within the three-mile limit is a Dominion interest and not a provincial right. At present I do not express an opinion one way or the other, but even admitting that the authorities established the point that these Fisheries are Dominion and not territorial rights, still I contend that the fact of the Imperial Government with the consent of the Dominion, having apportioned \$1,000,000 to Newfoundland, shows that the fishing interests bordering on that Province were considered practically as territorial and provincial property; and that by the rights conceded to the Americans under the Treaty, the Island of Newfoundland had suffered a loss to the amount paid her. Now, Mr. Speaker, if the position is a correct one that these Fisheries are not territorial rights, then, before Confederation, they would be considered Imperial. If so, why was not the \$1,000,000 received by Newfoundland paid into the Imperial Treasury? I submit that the Dominion practically stands in the same relation to the different Provinces which compose the Dominion as the Imperial Government does towards Newfoundland. Of course this must be taken in a qualified sense, and is applicable to the settlement of this question. If the Mother Country treated the Fisheries of Newfoundland as a source of trade belonging to that Province, why should not Canada take the same view of it, and indemnify the Maritime Provinces out of the Award? Five millions and a-half has been declared to be the measure of benefit gained by the Americans for their advantages under the Treaty, and the amount of damages sustained by the Maritime Provinces under that compact. I submit that the inhabitants

of Ontario and the Great North-West have no greater interest in our Fisheries than have the inhabitants of Great Britain in the fisheries of Newfoundland. The Dominion Government have stepped into the shoes of the Imperial Government. Newfoundland has been indemnified for her loss; why should not the Lower Provinces have the balance divided among them in proportion to the loss that they have sustained? The hon. member for Inverness has been very rash and imprudent in the manner in which he has approached this case this evening. I suspect he has been too anxious to make political capital at the expense of those interests which it is his duty to advocate. I hope that the Government will overlook the reckless conduct of my hon. friend, who has constituted himself the champion of the Lower Province men in fighting this battle, and that his blundering mismanagement will not injure our cause, and that his sins will not be visited upon the heads of unoffending members who are anxious to see justice done in the premises. I trust that the Government will re-consider their determination as affects Prince Edward Island, and will see substantial reason which will justify them in awarding that Province compensation for the loss she has sustained by the serious destruction of her Fisheries, a property which I submit practically belongs to her.

Motion made, and question proposed:

That the Debate be adjourned—(Mr. Ritchey.)

The House divided:—Yeas, 111; Nays, 48.

YEAS:  
Messieurs

Abbott	Lane
Allison	Langevin
Angers	Lantier
Arkell	Little
Baby	Longley
Bannerman	Macdonald (Kings P. E. I.)
Barnard	McDonald (Cape Breton)
Beauchesne	McDonald (Pictou)
Benoit	McDonald (Vict., N. S.)
Bergeron	Macmillan
Bergin	McCallum
Bill	McCarthy
Bolduc	McCuag
Bourbeau	McDongall
Bowell	McGreivy
Brecken	McInnes
Bunster	McKay
Bunting	McLennan
Cameron (N. Victoria)	McLeod
Carling	McQuade

Cimon	McRory
Colby	Massue
Connell	Merner
Coughlin	Montplaisir
Coursol	Muttart
Cuthbert	O'Connor
Daly	Ogden
Dawson	Orton
DeCosmos	Patterson (Essex)
Desaulniers	Perrault
Desjardins	Pinso,neault
Doull	Pope (Compton)
Drew	Richey
Dugas	Robertson (Hamilton)
Fitzsimmons	Rochester
Fortin	Ross (Dundas)
Gault	Rouleau
Gigault	Royal
Girouard (Jacq. Cartier)	Ryan (Marquette)
Girouard (Kent, N.B.)	Rykert
Grandbois	Shaw
Hackett	Sproule
Haddow	Strange
Hay	Tassé
Hesson	Tellier
Hilliard	Thompson (Cariboo)
Hooper	Tilley
Houde	Tupper
Hurteau	Vanasse
Ives	Wade
Jackson	Wallace (S. Norfolk)
Jones	Wallace (West York)
Kaulbach	White (Cardwell)
Keeler	White (E. Hastings)
Kranz	Wright.—111.
Landry	

## NAYS :

## Messieurs

Anglin	LaRue
Bain	Laurier
Béchar	Macdonell (N. Lanark)
Blake	MacDonnell (Inverness)
Bourassa	Mackenzie
Brown	McIsaac
Burpee (Sunbury)	Malouin
Cameron (South Huron)	Mills
Cartwright	Oliver
Casey	Olivier
Casgrain	Paterson (South Brant)
Chandler	Pickard
Charlton	Rinfret
Cockburn (Muskoka)	Robertson (Shelburne)
Coupal	Rogers
Dumont	Ross (West Middlesex)
Fiset	Rymal
Fleming	Srивer
Flynn	Skinner
Geoffrion	Smith (Westmoreland)
Gillmor	Snowball
Gunn	Thompson (Haldimand)
Guthrie	Trow
Killam	Yeo.—48.

Motion resolved in the affirmative and Debate adjourned.

## BILL INTRODUCED.

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

Bill (No. 92) To prevent fraud in the manufacture and sale of agricultural fertilisers.—  
(*Mr. Landry.*)

## NEW BRUNSWICK — CATTLE TRADE WITH GREAT BRITAIN.

MR. BURPEE (Sunbury), in moving for an Address for copies of correspondence with the Government relative to subsidising a line of steamers to ply between St. John and Liverpool, for the purpose of promoting a trade in cattle and farm produce between the Province of New Brunswick and Great Britain, said: I regret that the Government will not allow the motion stand until the hon. member for Queen's (Mr. King), who had given the notice, could move it. I desire to say, in moving the resolution, that it is a subject exciting some interest in New Brunswick at the present time. At a recent meeting of the New Brunswick Agricultural Association, they passed resolutions to memorialise the Government to give a subsidy to a line of steamers from St. John to Great Britain in the interest of the exportation of agricultural productions, such as cattle, potatoes, hay, etc. Several of the county municipal councils have passed resolutions in the same direction, and the Municipal Council of the city of St. John have been moving in the same matter, and, I believe, presented a memorial to the Finance Minister, asking for a subsidy for the same object, on his recent visit to St. John. There is no line of steamers at present plying between St. John and Great Britain regularly, the want of which is being very much felt, especially for the exportation of the productions of the soil. Several cargoes of potatoes were shipped from that port to England last season in sailing vessels, but the length of the voyage and consequent delays which sailing vessels are subject to, act very prejudicially on the trade, and are a serious drawback to the development of that industry. A very large surplus of potatoes are produced, and could frequently, as was the case last season, be made a profitable article of exportation to England, if steam vessels were available from St. John to Great Britain. The fattening of beef cattle suitable for the English market is now receiving increasing attention by the farmers of the Province of New Brunswick, who would be greatly benefited; and no doubt an impetus would be

given to that important branch of agriculture, if steam communication were to be had direct from St. John to Liverpool or other ports of Great Britain. If the Government would decide to give a moderate subsidy for the object stated, it would materially assist the maintenance of the much-needed communication. There was at one time a line of steamers which made regular trips to that port, and had been discontinued for want of sufficient business; and it may be said with some force that if the trade of St. John will not support a line of steamers, it is useless for the Government to attempt to do so by giving a subsidy. The trade at the port of St. John has no doubt fallen off the last few years, which is attributable to various causes and circumstances, not least of which is the location of the Intercolonial Railway on a route which had the tendency of turning the volume of traffic from the port of St. John, and which the hon. gentlemen, now occupying the Treasury Benches, are responsible for. Had the Intercolonial Railway been located by the Valley of St. John, steamers would no doubt have continued to do a profitable business, without a subsidy, from Liverpool to St. John, a consideration which should have some influence with the Government. I fear that I will have very little influence upon the Government in pressing this claim. It has become too apparent during the Session, and especially within the last few days that there is no disposition to hear any Opposition members on the grievances of their constituents. There appears to be an indifference shown to hon. members on this side of the House when advancing the interests of their constituents, but I must remind the Government and the hon. the Finance Minister that we have constituents behind us, whose interests we must represent, although the Government may turn a deaf ear, and treat us very cavalierly. Yet the time will come when the country will speak, and I hope that, in this instance, at least, where the constituents of the hon. the Finance Minister are so greatly concerned, the Government will give attention to the wants of St. John, and grant this subsidy to assist in the development of the agricultural interest of the Province of New Brunswick.

Motion agreed to.

#### GOVERNMENT BANK INSPECTION.

MOTION FOR COMMITTEE WITHDRAWN.

Order for Committee of the Whole to consider resolutions to amend the Banking Acts, so as to provide a system of compulsory inspection by Government Officers, *read*.

MR. ORTON: In consequence of the loose manner of the management of banks, and the exposures that have been made under recent failures, both in Canada and Great Britain, a widespread distrust has arisen, and a feeling that there is something wrong in our banking institutions. On that account I propose to put these resolutions on the Paper. It is not my intention to go into any long discussion of this question. It is one that deserves the fullest consideration on the part of this House, and of the Government in particular. The object of my motion is to draw the attention of the House and the Government to this important matter, so as to allay, if possible, feelings of distrust existing in this country. I hope the Government will give their serious consideration to this matter, and, as I understand they are introducing a Banking Bill, I will not push this motion any further, but will withdraw it.

Motion, with leave of the House, *withdrawn*.

#### THE STEAMERS "GLENDON" AND "NORTHERN LIGHT."

MOTION FOR RETURNS.

SIR ALBERT J. SMITH, in moving for an Order of the House for a return showing the services performed by the steamer *Glendon*, since the 1st of January, 1879, to the present time, including the number of light-houses and fog-whistles supplied; with a statement of the time occupied in going to Sable Island and returning, in connection with the wreck of the steamship *State of Virginia*, with the number of persons brought from said Island, and the quantity of cargo; also, a return showing the services performed by the steamer *Northern Light*, since the 1st January, 1879, up to the present time, the number of trips made, together with the number of passengers and quantity of freight carried during that period, said: During the last Session, a very violent attack was made in regard to those

steamers. I was not very much exercised on the subject, for I felt that time would rectify the wrong. There is no doubt that the *Glendon* was not adapted to the service for which she was originally intended; but it was stated that she was utterly worthless, and that the money expended on her was an absolute waste. I thought that was not the case, and that my hon. successor would bear me out in that opinion. I observe that he has done as I expected he would, continued the steamer in the service, and I think he has acted wisely. From the report this year, I find that the *Glendon* has been attending to the Halifax buoy service, and supplying light and fog whistles. I find that she was also sent to Sable Island to bring off the passengers of the *State of Virginia*, a large steamer that was wrecked there. I think that the steamer is doing good service, and that the money expended upon her was not wasted. With regard to the *Northern Light*, I think that the policy of the late Administration has been fully vindicated. The Prince Edward Island members spoke in the highest terms of her.

Motion agreed to.

#### YAMASKA RIVER NAVIGATION.

##### MOTION FOR ENGINEERS' REPORT.

MR. GIGAULT, in moving for an Order of the House for a copy of the report of the Engineer who surveyed the River Yamaska, in the year 1878, with a view to render it navigable, said: My object in giving this Notice of Motion was to draw the attention of the Government to the importance of the scheme for rendering the River Yamaska completely navigable. I am informed that in 1878, an engineer made a survey of this river at its mouth, and I am desirous that that survey should be continued as far as St. Césaire, in my county. The river is navigable throughout the greater part of its course. It is navigated every summer by steamboats from the St. Lawrence to St. Aimé. During some years three steamboats have passed from St. Césaire to St. Hyacinthe at different times, and have also gone as far as St. Pie, in the county of Bagot, by way of Black River, which falls into the Yamaska. If those undertakings did not succeed, the want of success was due to the fact that the boats could not run up the stream, in conse-

quence of the rapids at St. Hyacinthe and St. Aimé, which are only a few arpents long. We are desirous that the Government should do away with these obstructions to navigation, by constructing locks or short canals alongside these rapids. The cost would be small, bearing in mind that this river from its mouth to St. Césaire is sixty or seventy miles long, and that the advantages resulting from these works to agriculture, trade and industry, in the counties of Rouville, St. Hyacinthe, Bagot, Richelieu and Yamaska, would be immense. A rich and fertile plain extends on each side of the Yamaska; on its banks are situated the important and populous city of St. Hyacinthe, and other localities remarkable for their trade and institutions. What we need is an easy, rapid and economical means of communication for the transport of our agricultural and other products, and that means the Yamaska will afford us if the Government will expend the amount necessary to make the river navigable throughout. Upwards of \$8,000,000 have been expended by the Government in the interests of navigation upon the river St. Lawrence, and the way to render that expenditure more useful is to improve the navigation of the affluence to that great river; and the Yamaska is certainly one of the important tributaries of the St. Lawrence. There is therefore not only local interest connected with this work but public interest also. We are expending in the west large sums of money for the construction of the Pacific Railway, and other national undertakings, which will powerfully contribute to the development of our resources and the increase of our population, and thereby of our public revenue. I am far from being opposed to those public works, which are destined to place Canada in the position which it deserves to hold, but I would not have the Government neglect the interests of other parts of the country. The five counties through which that river runs contribute largely to the public revenue, and have received hardly anything for public works from the Federal Government. I therefore trust that the hon. the Minister of Public Works and his colleagues, animated, as I am sure they are, with the desire of doing justice to all parts of the Dominion, will take my request into favourable consideration, and

SIR ALBERT J. SMITH.

will order a survey, so as to obtain an approximate idea of what the necessary outlay would be.

Mr. VANASSE: I do not desire to take up the time of the House uselessly, by speaking on the subject which the motion of my hon. friend has introduced. But in my position as a representative of one of the counties traversed by the Yamaska, I cannot allow this opportunity to pass without reminding this House of the importance of the territory watered by this river, and also of the richness in an agricultural, industrial, and commercial point of view, of this section of the country. The River Yamaska flows out of Missisquoi Bay, and falls into the River St. Lawrence after passing through the counties of Rouville, St. Hyacinthe, Bagot, Richelieu and Yamaska. Its width almost throughout its entire length—which is nearly eighty miles—varies from 800 to 1,000 feet, and its depth from 4 to 10 feet at high water. The population on the river banks was estimated in 1871 to be more than 130,000 souls. In order to give the House a sketch of the resources of this portion of the country, I will venture to reproduce some figures taken from the official returns in the last Census. The superficial extent of the counties traversed by the Yamaska amounts to 1,170,198 square acres, of which more than 500,000 acres are under cultivation. In 1871, there was harvested in this territory 241,764 bushels of wheat, 1,656,076 bushels of oats, 347,786 bushels of peas, and more than 129,000 tons of hay. I pass over the yield, which is considerable, from the other cereals. The products of the workshops and manufactories established in these various counties rose, in 1871, above the value of \$875,000. The River Yamaska again furnishes the means of transport of a considerable quantity of cordwood. There is, besides the trade in saw-logs, and that in hemlock-bark, the building of barges and lighters, of which I was unable to obtain any authentic returns. The proprietors of the rich iron mines of St. Pie de Deguire, in the county of Yamaska, export annually by means of this river more than \$50,000 worth of minerals, while they export them to a considerably greater value by the River St. Francis. In 1857, several influential citizens of the

counties of Yamaska and Richelieu, formed themselves into a partnership for the purpose of creating a Navigation Company, in order to develop trade in this part of the country. They had built for them a splendid steamboat, called the *Yamaska*. From the first year the returns from the manager's office of this company show that they succeeded in obtaining, during the season of navigation, receipts to the amount of over \$10,000. In 1859 the receipts amounted to \$12,137.80. Later on the powerful Richelieu and Ontario Navigation Company, discerning the importance of this commercial highway, purchased the property and rights of the Yamaska Company. They now maintain a regular line of steamboats between the town of Sorel and the village of St. Aimé, in order to assist the trade of the rich parishes of St. Michel, St. David, St. Pie de Deguire, St. Aimé, St. Guillaure, St. Bonaventure, and the others surrounding parishes. Such, in a few words, is the history of this part of the country, and a hasty sketch of the important trade which is annually carried on there. When I consider the fertility of the district, and the spirit of its industrial population, I do not hesitate to affirm, Mr. Speaker, that this trade would be a hundred times larger after the removal of the obstacles encountered in the navigation of this river during the months of July, August and September, in each year. It is for this reason that we ask the Government to come to our assistance, if such a thing is possible. This is not the first time, Mr. Speaker, that the present question has engaged the attention of the friends of agriculture, industry and commerce, in this section of the country. In the month of April, 1859, the Government of United Canada gave instructions to the Montreal Harbour Commissioners to have a survey made of the River Yamaska, and an estimate calculated of the amount required for its improvement. The engineer, Mr. Forsyth, made an examination. He states in his report that the desired improvement might be effected by dredging, costing the sum of \$10,800. No action, however, was taken on the recommendations of this engineer. About 1860, the Trinity House of Montreal, also caused surveys to be made of this river, with no better result. Finally, in 1878, a short time before the last

General Elections, the hon. leader of the Opposition, then Minister of Public Works, ordered a third survey of the river, of which we have never heard a word. It is in order to get some information about it that my hon. friend has just made his motion. Well, we take up to-day, in our turn, the work of improvement so often commenced and so often interrupted by the badness of the times. We respectfully invite the Government to leave the great deserts of the west to the influence of the great impulse of progress, which has been given them to such a favouring extent, and pay attention to the fertile plains of the East. The River Yamaska is the natural channel of commerce of a fine and rich country. It represents a large amount of capital, which ought not longer to be left unproductive. It is really the duty of the skilful and practical men, who at the present moment manage public affairs, to labour to improve it gradually by dredging and a system of canals. Besides this, it is to be hoped that the Government will remember, when they are distributing the public funds, that the noble Yamaska river is the only one in this part of the country which has never yet been favoured by a grant from the Treasury for improvements, at once necessary and easy of execution. For all these reasons, on behalf of progress and of justice, I second with pleasure the motion of my hon. friend.

**MR. LANGEVIN:** The Government has no objection to the motion which has just been made. As to the works of which he speaks, a fresh examination must first be made before we can tell what amount it would be necessary to expend, and whether the Government would be in a position to request Parliament to vote it. The Government which preceded the present one had surveys made in order to ascertain whether the river could be made navigable in such a way as to be used in the exportation of the products of the five counties crossed by it. That policy must evidently be the policy of the present Government. Before coming to any decision, however, the nature of the work to be done must be ascertained. In any case the Government is well disposed to meet the views of hon. members in this respect and will promise to look into the

matter during the recess following the present Session.

#### WEIGHTS AND MEASURES—DEPUTY INSPECTORS.

##### MOTION FOR REPORT PROPOSED.

**MR. CASEY,** in moving for an Order of the House for a copy of any report or memorandum made by the Chief Clerk of the Weights and Measures Branch of the Department of Inland Revenue, since 10th October, 1878, concerning the efficiency or standing of the Deputy Inspectors of Weights and Measures, said: This motion grows out of a former discussion on the subject of the dismissal of the late body of Inspectors of Weights and Measures. The question of the efficiency of these gentlemen was raised on that occasion and created a general impression that their inefficiency had something to do with the dismissal and retention respectively of those men. The contention of the Government was that the reason they did not keep as many of them as were required to fill the smaller number of positions created by the new law, was that they were not considered competent to fill those positions. I have been informed since that debate that the Government had in their possession, shortly after they came into office, a report made by the head of the Weights and Measures Branch of the Inland Revenue Department, as to the efficiency of every Inspector in the service, a report made after actual inspection of the different agencies. I ask for that in my motion. I was also told, on very good authority, that the Deputy Inspectors in the Province of Quebec received notice in May or June last that they would be required to pass an examination in ten days from the date of that notice, which examination, however, did not take place, although, I believe, the papers were prepared. Taking all this into consideration, it seems, to my mind, very probable that the Government did intend to carry out the idea suggested, and retain as many of the old Inspectors as were found fit to fill the smaller number of places under the new law, but the pressure of friends asking for places compelled them to turn out the whole batch and create a set of vacancies. I wish to call the attention of the hon. Minister to a few discrepancies in his statements. On

a former occasion the hon. Minister told us that there were 125 Inspectors under the old law, but it was shown at the time that there were only ninety-seven. He also stated there were only forty under the new Act; I have been told that there are sixty unemployed under the new Act. He also said that twelve of the old Inspectors were retained; now I have been informed that only six have been retained, namely, Drummond, of Cape Breton; Freize, Fredericton; Grégoire, Quebec; Young, Waterloo; Simard, Saguenay; and Pennoyer, Sherbrooke. Of course there may be others, and if so, the hon. Minister can give their names. The hon. Minister told us that those Inspectors all got six months' notice. Now, I know that the Inspector in my county did not? As I understand the matter, the only notice those officials got was given on June 12th, 1879, and was to the effect that their services would be dispensed with on the 1st July. The argument of centralisation could not have influenced the dismissal of one gentleman and the appointment of another in the city of Ottawa, for the Inspector who was dismissed lived in the city, and the new official came from Carleton Place. The Inspector at Hull, I understand, is mayor of the city, and his official duties would certainly incapacitate him from performing the duties of Inspector of Weights and Measures. He was also appointed by the Quebec Government as clerk of some Court.

MR. BABY: I would have a great deal of pleasure in responding to the motion of the hon. gentleman, but the report in question, being made by an officer of the Department to the Minister, is confidential, and ought not to be published. This question was ventilated before. I may state that the Department intends to call upon the Inspector and Assisant Inspectors to undergo the examination. The Board will meet next July for that purpose. There was, I admit, a little discrepancy as to the number of officers found in the Weights and Measures Branch and those appointed in their stead. There are about fifty-four to fifty-six Inspectors and Assistants instead of the number I stated before. I had left out the former.

MR. CASEY: I do not think I can agree with the hon. gentleman that the

report should not be brought down because it is of a confidential nature. It was insinuated that those officers were dismissed on account of inefficiency. The report would clear up that question. It would, I admit, be improper to ask for the report if the officers were still in office; but I do not think the objection applies to men who have been dismissed. It would be as proper to bring it down as to bring down the papers about the dismissal of a postmaster or any other officer. The paper contains information to which the House is entitled.

MR. BABY: There are certain things in the report which it would be injudicious or distasteful to those connected with the service to publish. I have no objection to bring down the other papers.

MR. CASEY: There surely can be no more objection to bringing down the papers in regard to the whole of the beneficiaries than to one or two. It cannot be hurtful to their public usefulness; and, when there have been wholesale dismissals, it appears quite proper to ask for the proof of the case on which they have been justified. For justification it must be shown that the parties dismissed were less efficient than their successors. Of course if the hon. gentleman persists in his objection to bring down the report, there is no use in pressing the motion; but it would be a refusal of information the House is entitled to. This report might be looked upon as proof of the case against the dismissed. The hon. gentleman (Mr. Baby) did not answer my question as to how it happened that the Inspector of Weights and Measures in Hull was limited to the exercise of his municipal office.

MR. BABY: The Inspector for Hull, Mr. Leduc, since he was appointed, was tendered the position of Clerk of the Court, and he tendered his resignation as Inspector, which has since been accepted. He is now Clerk of the Court only.

MR. ROSS (West Middlesex): The hon. the Minister of Inland Revenue has given us no reason why the Inspectors of Weights and Measures received such short notices for dismissal. The notice to one of them was, that on the 1st July his services would be no longer required. If the hon. gentleman intended to deal candidly with the officials not incompetent, who were officers of the Department, he would at



least have given them a longer notice. It seems they looked forward, hopefully, to a re-appointment, when, at the last moment, some more fortunate competitor, whose political principles were more in harmony with those of hon. gentlemen on the Ministerial Benches, received the honours and emoluments of office. By the Superannuation Act of 1870, those discharged officials have a pretty strong claim on the Government for compensation for the abolition of their engagements. This Act provides that any person removed from office, because of its abolition, may receive certain remuneration. I would like to know whether the hon. the Minister of the Interior is disposed to deal as kindly with the Inspectors of Weights and Measures as the Act contemplated—to give them any remuneration or retiring allowance, considering they were dismissed with a view to the economy of the service. They were not removed for incompetence, but presumably for reasons of State, and without any regular notice, except one of only a few weeks, and they naturally complained that they were severely and unjustly dealt with, receiving no opportunity of providing for themselves before discharged.

MR. BAIN: A previous Inspector, after a recent discussion in this House, drew my attention to the fact that there must have been a mistake on the part of Ministers with regard to the length of the notice of dismissal given—as to six months being the notice. This former official states, in a note to me, that the notice to him is dated 12th June, 1879; that he thinks he received it on the 14th, stating his services would be dispensed with at the end of the month, and about the 18th June the instruments in his office were taken possession of by the Government and his office closed—making, in his case, about one week between the notice and the close of his office. He says that about the middle of the preceding March, he received a copy of an Order in Council requesting the Inspector to confine his attention to the duties of his own office, without travelling, and referring to the probability of future instructions being given them. But he says distinctly that there was nothing in that circular conveying the remotest impression that the services of the Inspectors were to be dispensed with on the 1st of

July last. On the contrary, it seemed to point to the probability of future employment in connection with that office. I think, under those circumstances, it is only due to those former Inspectors, summarily dismissed, that the circumstances should be brought to the attention of the House. Though we are all prepared to admit that the Government have authority to dispense with those officers, I think, taking the circumstances into account, they have been rather hardly dealt with.

MR. CASEY: There were elections in Ontario on the 5th June, and it might have been very awkward to gentlemen on the Conservative side to have this notice go out.

Motion, with leave of the House, *withdrawn*.

#### IMMIGRATION PUBLICATIONS.

##### MOTION FOR RETURN.

MR. TROW, in moving for an Order of the House for copies of all publications issued by the Government; also, of all publications, copies of which have been purchased by the Government for distribution, with a view to encourage immigration into the Dominion, with a statement giving the names of the authors of such publications, the number of copies of each, whether printed by Government or purchased already printed from the authors or publishers, and the expense incurred or to be incurred in respect of each such publication, said: As the hon. the Minister of Agriculture and Immigration, a few evenings ago, taunted me with having received money from the Government for my pamphlets on Manitoba and the Great North-West, and used very strong, unguarded, and malicious expressions respecting my participating in profits for the work, I think it would be proper for me to say a few words now an opportunity presents itself, in reference to the manner information is being circulated by that hon. gentleman in advertising the Great North-West. On that occasion I made a selection of several copies of pamphlets on immigration but have unfortunately left those I selected, with but one exception, at the hotel. The one I hold in my hand is not as complete as I would like; I find eight or ten pages clipped out. I would like to know from the hon. the Minister of Agriculture the

number of those pamphlets that have been purchased and circulated, and whether it is those clipped or unclipped that are in general circulation. He had better undertake a second clipping, in order to make the pamphlet acceptable, because I find the first page, the title page, is very objectionable, and should have been taken out. Most likely it has been unobserved by the officials of the Department. I have been informed that some dozen officials have been employed clipping and mutilating those pamphlets for several days, but they have neglected the main part, as the very title page reads thus :

“Fertile lands, cheap and healthy homesteads, in the famous Red River Valley, State of Minnesota. The St. Paul, Minneapolis and Manitoba Railway Company offers for sale, to actual settlers, about 2,000,000 acres of the best wheat lands, chiefly in the Red River Valley, and contiguous to their lines of railway running from St. Paul to the Manitoba boundary line, at prices ranging from \$3 to \$5 per acre, and easy terms of payment.”

We find in this pamphlet a very large map of Dakota, Minnesota, and other Western States, with only about three-fourths of an inch space on the corner devoted to Manitoba and the North-West. Then it advertises the sale of 3,000,000 acres of land in those States. The pamphlet is got up by the Hon. Peter Mitchell, who travelled very extensively round Chicago, St. Paul, and Minneapolis. It gives a minute description of the various dinners he had in those cities ; minutely describes the different railway routes, the hotels, and so forth. He says Minnesota is a perfect Paradise for sportsmen, and observes also that there are large tracts of prairie lands, plenty of fuel, and desirable localities for persons to settle upon as to water. He had always understood that it was a great drawback, but he had tasted it from several streams, and pronounced it very good ; that the soil was a magnificent black loam—as black as his silk hat—and capable of being cropped with wheat year after year, indefinitely, without manure. There are thirty pages in this beautiful pamphlet, of which I do not know how many thousand copies have been circulated, taken up with descriptions of Chicago, Minnesota, Dakota, etc., before he landed in Manitoba. When there a friend drives him to Portage la Prairie, and states that they were seven hours in going

sixty-three miles, and may have returned in seven hours, but being overtaken by a storm were obliged to remain over night. Then he gives a description of the city of Winnipeg, and condemns the route of the Pacific Railway. The writer then enters into politics a little in condemnation of the previous Administration ; and says he does not know what Mackenzie was thinking about in railway construction. He certainly must be a reliable scientific engineer, because he says if the road had been constructed a few miles to the north or south from where the line is now located, it would have saved hundreds of thousands of dollars, and yet he says that he is not influenced by any political associations or friendships. There is also a great deal of information respecting the weather. It says it is warm in summer and cold in winter, and the sun shines by day and the moon by night ; but a good deal of important information has been cut out. I would like to know the object of the hon. gentleman in eliminating that information. I notice that one of the advertisements in the un mutilated volume was a whole page showing the accommodation and convenience for travellers at the Russell House, Ottawa ; another page descriptive of the Rossin House, Toronto, and also the Queen's Hotel. The Hudson Bay Company's lands for sale, eligible locations cheap, etc., were also inserted. Instead of the Government advertising Hudson Bay property, my hon. friend the member for Selkirk should have purchased and circulated the pamphlet. I consider the hotel-keepers and others who paid for advertisements should be recouped for damages sustained by the hon. the Minister of Agriculture clipping and mutilating the pamphlet before circulation. With regard to the statement made by the hon. the Minister of Agriculture on a former occasion, that I received money for writing a pamphlet, I may say while on my feet that I defy him or any other man in the Dominion to say that I ever received a single cent for what I did. So careful was I that nothing should be done that would look like payment to me of any kind, that when Mr. Lowe, Secretary of the Department, sent me a dozen pamphlets rather better bound than those for general circulation, I sent back \$6 to pay for them,

for which I have a receipt. Instead of receiving money, I paid out \$2,000 in travelling expenses, for which I never received any return.

SIR CHARLES TUPPER: I would like the hon. gentleman to explain why, if it is such an objectionable pamphlet, he should give it such a widely extended advertisement as he has done by the attention he has drawn to it in this House. I am a little surprised at the new-found zeal of hon. gentlemen opposite in reference to the importance of preventing any information being given respecting the United States. I have laboured under the impression that a large number of gentlemen opposite were more zealous in their advocacy of American interests than they were of Canadian interests. I have been sneered at again and again by hon. gentlemen opposite, for the extravagance of my statements, when I ventured to express an opinion that we had the most fertile and valuable description of country that was to be found in the world in our North-West. Many of the people who go to the Western States are attracted to Manitoba, since we have succeeded in drawing the attention of the world to that country as it has never been before. I find we are not only holding our own against these American States, but that thousands are induced to emigrate from Minnesota, across the border, to our own country. So if people should be attracted to that section of the country, they will be only brought more nearly to the point where sound and correct information regarding our North-West is to be obtained. In reference to this pamphlet, does the hon. gentleman know that the writer of it was the special correspondent of one of the leading political organs of hon. gentlemen opposite? Does the hon. gentleman not know that every word of that pamphlet was published in the *Montreal Herald*. Every word of censure the hon. gentleman has uttered here in reference to this publication falls upon his own party and the organ of his own party. The hon. gentleman knows that the strongest advocate of the interests of the United States, of their institutions, of their country, of its character, and everything in relation to it, have been found among leading gentlemen on the opposite side of the House; and I rejoice to know that our

efforts have at last brought these hon. gentlemen to a proper sense of the unpatriotic character of their conduct in the past, and in the future I trust we may rely upon them to sustain us in the efforts we have been making for the purpose of placing our own country in a proper position in relation to this question. The hon. gentleman, perhaps, forgets that a gentleman who was elected an independent member of this House, the gentleman who was claimed by hon. gentlemen as one of themselves, in his place in this House, stated that he was not prepared to say that hon. gentlemen opposite were in the pay of the United States, but this he would say, that their whole policy in reference to the management of the public affairs in this country indicated that had such been the case, they could not have laboured more zealously to deserve the reward they were receiving. I congratulate hon. gentlemen opposite on the change of tone on their part. I am glad the hon. gentleman goes so far as to hold up to obloquy the conduct of the leading organ of the party in Quebec, in circulating a pamphlet extolling the advantages of the Western States.

MR. MACKENZIE: The hon. gentleman has found it necessary to make an effort to cover the retreat of the hon. member behind him. It would have been better if he had explained to the House why the Government has spent the money of this country in advertising a foreign country, the United States. He has given no explanation of that. The hon. gentleman has been caught. The Government have been caught.

AN HON. MEMBER: Where?

MR. MACKENZIE: They have been caught in Minnesota—in every place but where they ought to be caught. Why, Sir, last year when I challenged the land policy of hon. gentlemen opposite, when I stated that land could be obtained on more advantageous terms in several of the States of the neighbouring Union, I was asked “where?” I mentioned Texas as a place, where, on account of the unwise laws of the hon. gentlemen opposite, land could be obtained on easier terms than in Canada. I say that now, and I say it is a most infamous thing, that hon. gentlemen opposite have endeavoured in the first place to have an unwise land policy, and then

to publish pamphlets containing most glowing advertisements of better lands in the United States. Now the hon. the Minister of Railways and Canals gets up to defend the pamphlet, to defend his colleague.

SIR CHARLES TUPPER: No.

MR. MACKENZIE: Yes, the hon. gentleman's whole speech was an apology for it. The hon. gentleman says: "I have passed a glowing eulogy on Texas." I challenged the head of the Government. I challenge the whole pack of them to find one word of mine, in any part of my addresses, public or private, where any eulogium was passed on any part of the United States. But here is the Emigration Department, purchasing pamphlets by the thousand, and circulating them. To be sure there is an emasculated edition of that pamphlet published, but the whole of the evil matter is not eradicated. I see that there are advertisements of some of the Departments in this pamphlet. Are those advertisements paid for, and who got the money? Let us have a full statement instead of the hon. the Minister of Railways slanderous attacks. To be sure, to use an old proverb, the hon. gentleman's tongue is no scandal, but we know it is always at the service of his colleagues, if any of them are unable to present a tolerable case. When the hon. the Minister of Finance broke down in his attempt to present to the House a decent Budget Speech, the hon. gentleman was allowed to come up behind him, using the foulest weapons of speech he could lay hold of, and throwing a mass of filth across the floor of the House. Now the hon. the Minister of Agriculture finds himself in a scrape; the hon. the Minister of Railways is ready again with his old weapons. Well, I pity the hon. the Minister of Agriculture. He is a respectable, decent sort of a man. My own impression is that he was imposed upon by his ex-colleague, but he ought to make a proper apology to the House. He ought to state frankly he was imposed upon, and tell us who did it, how many copies of the emasculated edition have been published, and how many of the complete one; what was the cost, and whether the advertisements of the Government Departments, which are utterly useless, were paid for at the regular

rate. This information will be of some use. The speech of the hon. the Minister of Railways was of no earthly use that I can conceive of.

MR. WHITE (Cardwell): I think the hon. gentleman is exceedingly unkind to his own friends. If he will look behind him, he will find the gentleman who is chiefly responsible for the publication of this pamphlet. What is the fact with regard to it? It is the result of a trip made by the Hon. Peter Mitchell in the United States, for the inspection of an enterprise of which the hon. member for Selkirk (Mr. Smith) is a promoter and strong supporter. That trip, if I mistake not, was made in company with the hon. gentleman. The letters were published by the *Montreal Herald*, and I believe that 50,000 copies of the pamphlet were paid for, not by Mr. Mitchell, not by this Government, but by the hon. gentleman who sits practically as a supporter of the Opposition. If there is anything wrong in the pamphlet, the hon. gentleman is practically responsible for it.

MR. ANGLIN: If anything further were wanted to condemn the publication of this pamphlet by the Government, it has been furnished by the hon. member for Cardwell (Mr. White). He tells us that the Hon. Peter Mitchell, the writer of this pamphlet, was employed by a member of this House largely interested in a railway running in a foreign country. I do not know that we have any right to accuse Mr. Mitchell with having done anything wrong, if he has written only what he believed to be the truth; but certainly the Government should not invest the public money of this country in the purchase of tens of thousands of these pamphlets, written for the purpose of furthering the interests of a railway in a foreign country. The hon. gentleman when he thought he was making out a case against an hon. member of the House, has proved beyond all question that the conduct of the Government is entirely indefensible, and that the money of the country has been worse than wasted.

MR. SMITH (Selkirk): As my name has been brought forward so prominently in this discussion, it will not be deemed out of place for me to say a word or two. It is true that I have an interest in the

St. Paul, Minneapolis and Manitoba Railway, and the lands in Minnesota.

MR. MACKENZIE: Three million acres.

MR. SMITH: Yes, perhaps there are three million acres, but I hope that does not make me less a Canadian than other wise I would be. I have been in this country now for upwards of forty years, and can therefore claim to be as much a Canadian as most hon. gentlemen in this House. I regret that the hon. member for Montreal West is not in his place in the House, because I can recollect when he and the hon. Peter Mitchell—who wrote these very pleasing and interesting letters, which have so engaged the attention of hon. gentlemen, and in which he speaks in high terms of the lands in Minnesota, and still more favourably of those of Manitoba—I can recollect when those gentlemen and myself were on the train between Winnipeg and St. Paul, on our return from Manitoba, we met the Emigration Agent of the Dominion Government, and this gentleman whom I then saw for the first time, on being asked if any efforts were made by the officials of the St. Paul, Minneapolis and Manitoba Railway to keep back emigrants on their way to Manitoba, replied: certainly not; but that on the contrary every possible assistance and facilities were afforded these emigrants for going through to their destination. He did say that some other American Railway Companies acted differently, but that had nothing to do with the road referred to. That such is the conduct followed by the people of the St. Paul and Manitoba Railway has been fully substantiated by others, including the agents of Canadian Railway Companies, who have gone up in charge of parties of emigrants for Manitoba; and it is perhaps fortunate for this country, that that Railway Company, and their lands in Minnesota, are controlled by those who are so friendly to Canada, and so anxious to give every reasonable facility for sending emigrants into the North-West of the Dominion. Their instructions to their officials are, that no attempt should be made to keep back these people on their way to Manitoba, but on the contrary, to aid and assist them as far as possible, and I believe that these instructions are honestly carried out. The settlers both on the Govern-

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ment and Railway lands along the St. Paul and Manitoba road, are principally farmers from Wisconsin, Illinois, Michigan, and other Eastern States, who, having sold their farms there at good prices, take up wheat lands in Minnesota, and each in possession of capital, ranging from \$1,000 to perhaps \$50,000, contribute to building up the country at once. These are Americans who very naturally prefer their own institutions to ours, and so remain under their own Government; and the hon. gentleman from Cardwell is aware that the great majority of Canadians proceeding beyond St. Paul, who do not go to and remain in Manitoba, become settlers in the Territory of Dakota, and not on the lands of the St. Paul and Manitoba Company. The letters in question, written by Mr. Mitchell, I read when they appeared in the newspapers, but in their present pamphlet form have not seen them, nor was I aware what advertisements that pamphlet contained. I know the letters to be very racy, pleasing and interesting reading, affording a great deal of information both about Minnesota and our own North-West; speaking highly of the former, and still more so of Manitoba; and although they were not written at the instance of the St. Paul Railway Company, the gentlemen connected with it were, I believe, so very well pleased with them as to wish to have them re-produced in their present form. The publishers of this pamphlet were no doubt very willing to take advertisements from any quarter; it is, I believe, the ordinary course of trade to do so, and the hon. member for Cardwell himself (Mr. White) would not formerly have hesitated to do the same thing as a matter of business. I certainly am not the apologist of the Government in this House, but my impression is that the expense of publishing these letters was borne principally outside of any contribution from the hon. the Minister of Agriculture and his colleagues. Now, a word with regard to myself. No one can say that I have ever put forward the claims of the United States for emigration in preference to Manitoba and the North-West Territory. Quite otherwise; and when recently in England, on the question of the resources and development of Canada being brought forward at a meeting of the Royal Colonial Institute, I took oc-

casation there to speak in the most marked terms of the advantage Canada had over the United States in this respect. The hon. member for Cardwell, in the course of his observations asserted, that had the hon. leader of the Opposition remained in office, the whole carrying trade of the North-West would have been controlled by my associates and myself, but he must know that the facts of the case point to an entirely different conclusion; and it is now acknowledged by every candid man, who fully understands the question, that it would have been greatly to the advantage of Canada and the North-West had the arrangement proposed by the late Government for the working of the Pembina Branch been carried out, because the saving to this country would have been very great, while the work would have been much more promptly and more satisfactorily performed than it has been up to this time, or than was possible for the Government to accomplish with the limited supply of rolling stock at their disposal then. I do know, but so thoroughly convinced are the proprietors of the St. Paul Railway, that the odds in that agreement were all in favour of the Government as against their own pecuniary interests, that they would not now entertain any similar proposition as that they then agreed to, nor have they ever considered themselves under any obligation, personal or otherwise, to the then Government in respect of that agreement, which the hon. member for Cardwell affects to consider as having been conceived, not in the interest of Canada, but in that of a foreign corporation. I would not have spoken now had I not been so markedly referred to in this debate, and I close by repeating that, while I have interests in Minnesota, I also have an interest in Manitoba perhaps as large as most other people in the country, and I believe that I have as much regard for and am as anxious to promote everything that may be for the advantage of the Dominion and our North-West as any other gentleman in this House.

MR. POPE (Compton): I am afraid that my hon. friends on the opposite side will not take a great deal of comfort from the hon. member for Selkirk (Mr. Smith). The hon. member for Lambton (Mr. Mackenzie) said, however, that the

hon. the Minister of Railways got up to apologise for this pamphlet. But that hon. gentleman (Sir Charles Tupper) did not apologise for it. He did not say it was a good pamphlet, or anything at all by way of apology. But I must try to take care myself, since the hon. member for Lambton (Mr. Mackenzie) has paid me the compliment of saying that I am a very decent fellow. I will explain the matter to the satisfaction of the hon. gentleman, to that of this House, and to that of the country, which have been so led astray by publications in the *Toronto Globe*. In the first place, with respect to a map which was produced in this debate—that was simply a map of a railway company to show the road over which every emigrant has to travel to go to Manitoba, and it is absurd to attempt to blind them to the fact, or to attempt to make them think that they are not travelling through the United States; or to think that they will not know where they are, and not find what sort of country they are going through. So much for the map. The hon. member for Lambton (Mr. Mackenzie) goes further, and publishes to the world: he tells the people of this country—that they will do better to go to Texas than to Manitoba. Why, the fact is that men have been induced to come out from Lancashire and Yorkshire, and, finding no advantages, returned to the Old Country. I can further tell the hon. gentleman that there is not a single State in the Union where lands are sold on as advantageous terms for settlers as in Manitoba. This is apart from the lands given away in Manitoba. With respect to the mare's nest, with reference to the scrape that I have got into—this dreadful catastrophe which it is alleged has befallen me—what is the result? It all amounts to this, that I have never paid one single sixpence for this pamphlet. I have never given any order for one single copy of it, and I wish this fact to go through the length and breadth of the land. Where are the tens of thousands of dollars, the hundreds of thousands of dollars, that has been alleged were spent on this pamphlet? Not one single dollar has been spent on it by the Government; not one single order has been given; and, in so far as this pamphlet is concerned, no money will be paid on

that account, and no order will be given for it in the form in which it is now published. I do not want to go to the hon. member for Lambton for a recommendation as Minister of Agriculture. My course as a promoter of immigration is known to this country, and is known to the hon. gentlemen opposite. I am willing to stand by the past, and in the future I intend to be guided by the principles which have guided me in the past. All these foolish and nonsensical assertions, that the people's money has been spent on these publications, are unfounded. There is not a word of truth in them.

MR. MACKENZIE: Will the hon. gentleman say if the Department paid for the advertisement.

MR. POPE: I have never paid for an advertisement in that pamphlet. But I am told there are advertisements in that pamphlet that were never ordered, and that they would not be paid for. Is there any other question that the hon. gentleman wishes to put? I take it for granted that there is no other question. If there is no other question, then let hon. gentlemen forever hold their peace.

MR. ANGLIN: I have a question. Why were not these particular statements made before? Why is it that the hon. gentleman's colleagues appear to have been in the dark on the subject? Why was it that when this matter was under consideration before the statement was not made, that no money had been paid? But what he now says, does the hon. Minister of Agriculture only mean that no special order had yet been given, or that no precise number has been named? Will he say that the pamphlet has not been received at his Department?

AN HON. MEMBER: The hon. gentleman is out of order.

MR. ANGLIN: No. I am asking questions which the hon. the Minister of Agriculture has invited us to ask.

MR. BANNERMAN: I was surprised at the assertion made by the hon. member for Selkirk (Mr. Smith), a few moments ago—that none of the employes of the road in which he is interested—the St. Paul and Minnesota Railway—act as emigration agents. I was over that road in June last. The passengers were largely emigrants, and I noticed that all the employes of the road, from the brakeman to

the conductor, acted as emigration agents. An article appeared in the *Toronto Globe*, a few days ago, in which it was stated that 400 emigrants had left Ottawa for Dakota, and that only three persons on the train were bound for Manitoba. Now, on that train there were thirty or forty acquaintances of mine, who were going to Manitoba. The reason that most of the emigrants were going to Dakota is easily found. For the five years that the hon. gentlemen opposite held the reins of power, they did nothing for the colonisation of our own territory. As a result of their policy, a large number of people went to the States, and they have sent back letters to their friends, urging them to go to Dakota rather than to Manitoba.

MR. CASEY: It is all very well for hon. members to talk about that railway. The question under discussion concerns certain pamphlets, and I have no doubt the hon. the Minister of Agriculture would be glad of an excuse for replying to the remarks made from this side of the House. The hon. Minister told us that he issued directions for certain matters to appear in the pamphlet. What has the Department to do with the pamphlet unless it was ordered?

MR. BOWELL: The hon. Minister said nothing of the kind.

MR. CASEY: I remember the peculiarity of the expression. The hon. Minister said he gave instructions that they were not to be put in.

MR. POPE (Compton): I said that I had given no orders, and that the Department would not pay for the pamphlets.

MR. CASEY: I was referring to another remark of the hon. gentleman which bears no other construction than the one I placed upon it. The questions the hon. member has to answer are these: Did he order the pamphlets; does he intend to pay for them, and if not, how did they come to be distributed as emigration pamphlets? Is it to be supposed that the Hon. Peter Mitchell is printing them out of his own pure generosity?

MR. POPE: The hon. member is not quite fair in his statements. I stated plainly that I never ordered the pamphlets.

MR. MACKENZIE: Were the pamphlets in the Department?

MR. POPE: I never ordered them. I think that statement is enough.

MR. THOMPSON (Cariboo): I may state that I for one never got a copy of the pamphlets referred to. If they have been distributed among members or promiscuously round the country, I would like to know why I did not receive copies.

MR. ROSS (West Middlesex): I sent to the Department the other day for a dozen copies of each pamphlet that had been printed. Among those sent to me early in the Session I found a dozen copies of the pamphlet referred to. Later on I found another instalment of the same pamphlets with the leaves cut out. It is not really a matter of importance whether money was paid for them or not. They came from the Department with its imprimatur upon them, and they were sent direct to our constituents to give them information about the country. On page 49 I find the following:

"In the State of Dakota the Government gives twenty years to pay for the land, and charges \$1.20 per acre and 6 per cent. interest till paid; and if the settler plants ten acres of trees on his quarter-section the State exempts him from taxation for ten years. This is a more liberal policy than that laid down by the Government of Canada, who only give eighty acres of a homestead and a right to pre-empt a like additional quantity, but none of it within certain distance of the railway, called the six-mile belt."

It is possible the hon. gentleman has allowed the innocent and guileless Peter Mitchell to get on the blind side of him; but now that he knows the nature and tendency of these pamphlets, he should go further, than cutting out the advertisements, and withdraw them from circulation altogether.

MR. BAIN: I am prepared to accept the statement that the hon. the Minister of Agriculture did not order those pamphlets, and did not pay any money for them. But somehow those pamphlets have been largely distributed from his Department. The hon. member (Mr. Thompson) who complained about not getting copies, ought to know that to secure them he should make application to the Secretary of the Agricultural Department. There is something singular about the fact that those pamphlets were circulated from the wrapper-room, and under the auspices of the House. It must

be satisfactory to the House to learn that no money has been expended thereon. The hon. member from South Renfrew (Mr. Bannerman) stated that the employés of the St. Paul and Minneapolis Railway, and agents of other railways, having lands for sale, waylaid passengers to Manitoba, and induced them to go to Dakota. It was only this evening, that in conversation with a reliable gentleman, just returned from the North-West, he stated that of the last excursion train that went out from Ottawa, the greater part of the passengers went to Dakota, and that increased numbers were going there this season compared with last; but he stated most emphatically that the officials on the trains of the St. Paul, Minneapolis and Manitoba Railway were instructed not to interfere with or attempt to influence emigrants passing through to Manitoba, and that they did not do so, leaving them free to go on their way unmolested. But this emigration to the Western States is only the legitimate results of the policy just enunciated by the hon. the Minister of Railways, and defended in his usual vigorous style, and the practice of his colleague in the Department of Agriculture, in circulating pamphlets, advertising Minnesota and Dakota lands; and in proof that their labour on behalf of the Western States is bearing fruit, I beg to read a short extract from a recent copy of a Tory organ, in my Riding, that is not guilty of copying such articles from Opposition journals, such as the *Globe*, and which reads as follows:—

"Large numbers of Nova Scotians continue to leave for the Western States. The distress in Guysboro' county, as well as in the city of Halifax, is severely felt, and the calls upon the charitable societies are heavier than can be met. An appeal, issued by one of these societies, says that unless it is furnished with means at once it must suspend work. The emigration is chiefly from Cumberland county."

I cannot help thinking that the explanation of the hon. the Minister of Railways, in reference to the pamphlets, goes to establish these facts. I suppose that some of the pamphlets must have found their way eastwards, and are now bearing fruit. I think I may fairly challenge the hon. gentleman opposite to look back over the record of their predecessors the present Opposition, in emigration matters, and look at the result of the labours of the



Emigration Committee during that time; they will search in vain through the publications of the Department during that period for anything that can be construed into the least eulogy or advertisement of the western States. I think it will be in the recollection of hon. members that it was while my hon. friend from South Perth (Mr. Trow) was chairman of that Committee that he inaugurated a new system by which a large amount of valuable information was collected respecting the Canadian North-West, and the unoccupied lands of the newer countries of Ontario and the districts of Muskoka and Parry Sound. Facilities were also given to members of the Eastern Provinces to lay before the Committee useful information for the purpose of attracting emigrants to their shores. I defy hon. gentlemen opposite to point to any record in which during so short a period so much valuable information was collected as during the time that my hon. friend presided over that Committee, upon the deliberations of which he bestowed so much care. It was printed with our annual reports and we all know how eagerly they were sought for and how widely they were circulated. No hon. member will deny that that information was of the greatest value to all connected with schemes of emigration to this country. It was used by officers of the Department, and condensed, and was circulated through our Emigration Agents in the Mother Country. I defy the hon. gentlemen opposite to point out a single page of these reports in which the authors praise our North-West Territories by this left-handed method of giving information with regard to Minnesota and Dakota, through pamphlets like the one under discussion. It was quite consistent that the hon. member for Selkirk (Mr. Smith) and others, owners of the St. Paul and Minneapolis Railway, should circulate this pamphlet written by the Hon. Peter Mitchell. It was a legitimate business enterprise for them to purchase and circulate these pamphlets for the advertisement of their lands, but I cannot help feeling that it looked somewhat negligent on the part of the hon. the Minister of Agriculture to have allowed the circulation of that class of literature under the auspices of his Department. While

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bound to accept his denial of any personal connection with this pamphlet, it seems strange indeed that such large numbers of it have been circulated through the agency of this Department, and it reflects no credit on his management or care in supervising its officers.

MR. BLAKE: I think that the hon. the Minister of Agriculture omitted one important point. I refer to the appeal made by the hon. member for South Perth with reference to the hon. Minister's statement on a former occasion, made no doubt in the heat of debate, as to the pamphlets of my hon. friend being purchased by the Department. The hon. the Minister of Agriculture alleged that my hon. friend had been a pecuniary profiter by some purchase of his pamphlet. The denial of my hon. friend from Perth, made at the time, has been repeated to-night, and the hon. member has called upon the hon. Minister to state whether he deliberately asserts the contrary; and if not, to make the retraction due under the circumstances. Now, there is no humiliation in a gentleman who has been betrayed into an inaccuracy admitting the fact and acknowledging his error; but it is, in truth, a humiliation to persist, either by silence or by speech, in an inaccuracy affecting the personal honour and standing of another, after attention has been directed to it and the opportunity for enquiry given. I am sure the hon. the Minister of Agriculture will not let the debate close without stating whether he intends deliberately to charge my hon. friend, in the face of his denial, with having been a pecuniary profiter by the pamphlet. The hon. the Minister of Agriculture has been asked several questions several times without any response being elicited. It is material to know what answers can be given.

MR. POPE (Compton): You do not give me a chance.

MR. BLAKE: The hon. gentleman has had several chances.

MR. POPE: No.

MR. BLAKE: It will be convenient to know how many copies of the Mitchell pamphlet were received by the Department of Agriculture; how long they remained there; what has become of them; whether they have been in whole or part distributed to members or to the public as

emigration literature; what number has been distributed; whether they were all distributed in complete form, or some in a mutilated state; whether there remain any copies and what is going to be done with them?

MR. POPE: There are not any in the Department. Perhaps three or four hundred copies of this pamphlet found their way to it before I knew anything of them. As soon as my attention was called to the fact I stopped their reception, and had what was left sent back.

MR. MACKENZIE: Where to?

MR. POPE: To the parties who sent them.

MR. MACKENZIE: Where to?

MR. POPE: To the *Montreal Herald*.

MR. BLAKE: Could you not tell how many came to the Department?

MR. POPE: No. I presume many found their way here direct from Montreal. I know nothing of these pamphlets. With regard to the personal matter alluded to by the hon. member for West Durham (Mr. Blake) I am glad he has referred to it. I intended to have noticed it before. I have nothing to retract. I did not say the hon. gentleman from South Perth (Mr. Trow) made money out of his pamphlet, but that he might have made money. I will say now that I have enquired into the matter, and find that the hon. gentleman did not make money out of it.

MR. SMITH (Selkirk): I think it is no more than justice to the Hon. Peter Mitchell, whose name has been brought forward in this debate, to state that, so far as my knowledge goes, he never benefitted to the extent even of one sixpence by the publication of these pamphlets, or by his trip to the North-West, and I am certain that he did not receive anything in the way of remuneration from the Railway Company. In short, the pleasure he derived on the journey was all he got by it, and this pleasure I am glad to say, was shared in equally by those who were fortunate enough to be his companions; as it is well-known to all who are acquainted with Mr. Mitchell, how genial and agreeable he is as a travelling companion. At the time he left Montreal for the North-West, those who accompanied him had not the slightest idea that he would write even one letter for publication, nor was it until the second had been

written, that any gentleman connected with the railway became aware that he intended doing so. These letters were so very racy, and withal so very amusing—telling, as one of them did about a threshing and self-binding machine, which, having been run away with by the horses in one of the immense wheat fields of Minnesota, continued to reap and bind a succession of hundreds of sheaves, which went on circling the air for half a mile together, with much other matter perhaps not quite so amusing, but more instructive, and his friends encouraged him to add to them, and to send them for publication to some of the Montreal papers. I believe the hon. member for South Renfrew to be in error in saying that train conductors, and other people in the pay of the St. Paul Railway, constitute themselves missionaries for retaining in Minnesota passengers who intended going through to Manitoba: and I repeat, that the instructions of the officials connected with that Company were, that no such effort should be made in their behalf, and that the Emigration Agent of the Government, himself, told one of the hon. members of this House that these officials strictly refrain from so acting. I have in my hand letters received this evening from the Vice-President and General Manager of that road, which speak of the difficulty they had to contend with in consequence of the unusual severity of the winter—on one occasion 59° below zero at Pembina—in sending through settlers for Manitoba, and of the great exertions that were used to do so. Now, what better opportunity could have offered itself for keeping these people in Minnesota, had the wish been to do so; and yet unusual efforts were made, and heavy expenses incurred, in rendering them with as little delay as possible at their journey's end.

MR. BOWELL: Everyone must be gratified at the disinterested conduct shown by the proprietors of the Northern Pacific Railway, as exhibited in the speech of the hon. member for Selkirk. It is asking the House to believe a little too much to say that people owning millions of acres in the north-western States are not interesting themselves in having them settled and in placing on these lands as many emigrants as possible. I have an indistinct recollection of a debate in this

House a few years ago, when the late Government was entering into arrangements with the Northern Pacific Railway Company for the leasing of the Pembina Branch, and I was under the impression that the hon. member for Selkirk (Mr. Smith) then made a distinct statement that he was not interested in that road and had nothing to do with it.

MR. SMITH: I never made that statement in this House. What I stated was that I was not interested in the Steamboat Company spoken of at the same time.

MR. BOWELL: I bow to the explanation. Hon. gentlemen will recollect that I read the paragraph from a St. Paul paper at that time, in which the name of the hon. member for Selkirk was mentioned in connection with that enterprise, as being interested in it—he was accused, perhaps improperly, of being interested in the lease then about being made with that road for its operation, and in the carrying of passengers. On behalf of the Customs Department, I desire to say, most positively, that although there is a page advertisement in connection with the Department of Customs attached to the pamphlet under discussion, it was put in there without my consent. On the contrary, I refused that consent to Mr. Mitchell, telling him that it was not my business to give advertisements to assist in publishing a pamphlet which had for its main object the encouragement of the settlement of the lands of the United States. Why he copied, and why he published that advertisement, I know not, except, perhaps, in the hope of getting paid for it some day or other. Hon. gentlemen opposite did not seem to relish the explanation made by the hon. the Minister of Agriculture. No doubt they fancied that they had discovered a mare's nest. Finding that they were being caught in their own trap, the hon. the Minister of Agriculture allowed them to go on and make wild statements, such as that made by the hon. member for Gloucester, about the "tens of thousands" of pamphlets, and thousands of dollars of the country's money being spent in advertising American lands; he allowed them to proceed, and now they are chagrined to find that these charges are without foundation in fact. It matters not, however positively my hon. friend made the denial, it

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has been refuted over and over again. The hon. member for North Wentworth (Mr. Bain) and the hon. member for Elgin (Mr. Casey) stated positively that no member of their party, during the continuance in office of the late Government, ever said anything deprecatory of the Province of Manitoba, nor in favour of the United States. The hon. member for Lambton repeated, what I have heard him repeat in this House over and over again, to-night, that he never said anything in disparagement of Manitoba in contrasting it unfavourably with Texas. Let us hear what he said, as reported in the Official Reports of this House, when I will leave it to him to say how far it is borne out by the record.

"I do not understand why the hon. gentleman anticipates a large revenue from the lands to be sold, because it is absolutely indispensable, in order to induce settlers to come into the country, that we should furnish them with land free of charge. Does the hon. gentleman imagine that settlers will go to the North-West, and buy land at \$2 an acre, when there are millions of acres of land offered for nothing in the United States?"

"MR. PLUMB: Where do they give land for nothing in the United States?"

"MR. MACKENZIE: There can be no question about that.

"MR. PLUMB: I think there is room for question.

"MR. MACKENZIE: Well, my hon. friend from Niagara is exceedingly wise, but I doubt his possession of information on that point. If the hon. gentleman will examine the condition of the State of Texas, he will find that that State alone will furnish more land free than he has any idea of. The very fact that they are pouring ten or twenty times the number of people into these new territories that Canada is able to do, proves conclusively that it is true. If the hon. gentleman is proceeding on the hypothesis that in Canada alone is there any land available, he will find himself greatly mistaken. We have found it very difficult indeed in Canada to promote settlement, even where the land was given away by the Government. It is still more difficult to send settlers to the far-off western country, where they have the initial difficulties of a new country to contend with, not less in amount, though different in kind, than the settlers of our own wooded districts. They have a long winter, absence of lumber and building materials, and difficulties of transportation."

Now, if any one can read those sentences and say that there is not a glowing picture—that is the expression used by the hon. gentleman himself—and an invidious distinction drawn between the State of Texas and the Great North-West, then the English language means nothing. We

that we cannot expect to effect settlements in our own country when settlers can get land down in Texas for nothing. We are then told of the state of the climate in the North-West, the disadvantage of the great distances, of having no lumber for building purposes, and the difficulties of transportation, and that all these disadvantages are not found in Texas. One country is held up as possessing the advantages of free land, while the difficulties of transport, the want of lumber, and the cold winters, are set forth as bugbears to frighten the people away from our country. Now we are being told that nothing has ever been said either in the past, or likely to be in the future, which would injure the settlement of the Great North-West.

MR. MACKENZIE: It is quite true.

MR. BOWELL: Quite true. No doubt the hon. gentleman will deny all that he has ever said about the comparative advantages of emigration to Texas over the North-West. I have no doubt that this discussion, as far as the Government is concerned, will do no harm.

MR. ANGLIN: It will do good.

MR. BOWELL: I am glad this discussion has afforded an opportunity to the hon. the Minister of Agriculture to set himself right, so that the people may no longer be under the supposition that these pamphlets had been purchased and paid for and sent through the country in tens of thousands by the hon. the Minister of Agriculture. I am not aware of the fact that large numbers have been distributed to the hon. members of this House. Such may be the case. It may be true that they may have been furnished to hon. members for circulation by the parties most interested in the settlement of these lands. It is not at all improbable. I have seen that done in the past; pamphlets have been circulated by hon. members with no knowledge of where they came from. I do not know that the hon. member for Selkirk (Mr. Smith) has any knowledge of this fact, but it is not at all improbable that those who published this pamphlet were those who circulated it, and have sent them to their friends for circulation. They are acting quite in unison with their former declarations in favour of the United States Territories rather than British domains. Now they would like

to fasten the act upon my hon. friend, and the responsibility upon the Government. I wish the hon. gentleman to understand that I do not find fault with the company for trying to settle its own land. Nor will anyone be surprised who have gone to Manitoba and taken the route over the western railways, that many persons who might leave here with the intention of settling in the North-West, would stop in Minnesota or go beyond Dakota, and I have no doubt that such will continue to be the case until our railways are run into the interior of that country and supplemented by steam navigation. But after the same facilities are afforded in our territory for getting to market with the produce of their farms and their cattle, the tide of emigrants which has been flowing into that western country, and a large proportion of British and Canadian emigrants, at least, will settle under that flag which they revere, and the institutions for which they have the most respect. Now, it is well to know—and the hon. member for Selkirk knows it as well as any man—that the remarks made in England by the first statesman of that country are literally true. I have experience of that myself. When I was in the west, and saw people coming in the Custom House making enquiries as to what was dutiable goods, I asked them where they came from, and I found that they were American citizens coming from Ohio and other States, who were about settling in our country. I have no doubt that as it becomes developed, and the people have a better knowledge of what that country is capable of producing, there will be a larger emigration from Minnesota and Dakota, into the North-Western Territory than in the past; and I speak from personal experience, when I say that the remarks made by Lord Beaconsfield in reference to that matter were literally true.

MR. PATERSON (South Brant): I dare say the hon. the Minister of Customs would like the discussion to close at that point where he read an extract from the *Debates*, in order to fasten upon the hon. member for Lambton, (Mr. Mackenzie) a charge which is untrue, and which has been attempted to be fastened upon him by the press which supports that hon. gentleman. It were enough

that the press had undertaken that task ; it surely is unworthy of a Minister of the Crown. The hon. gentleman tells us that if the extract he has read does not bear the construction he places upon it, then the English language means nothing. It is possible that the people of the country, having read the extract and the comments of the hon. gentleman thereupon, might naturally be of the opinion that the English language does mean something, and yet entertain doubts as to whether the hon. Minister rightly understands that language. What is the hon. member for Lambton speaking of in that connection? He is speaking against what he considered to be the unsound policy of the hon. gentlemen that administer the affairs of this country in placing such exorbitant prices upon the lands of the North-West. He points out to them that it will be disastrous in its results, because we may not expect emigration into our country under such hard conditions, when the United States are offering lands free. He is asked by an hon. gentleman of the House "where?" He does not say Texas then. He says: "There can be no doubt of the truth of what I state." The hon. member who interrupted him presses for something definite on that point; the hon. member for Lambton then points him to Texas as one part of the Union where this can be, where any amount of land can be had free. Then going on to speak further, he enters into a comparison of the difficulties attending settlers in the North-West as compared with those attending settlers in Ontario and the older Provinces not as compared with Texas at all. I perhaps may do no injustice if I say the hon. the Minister of Customs knows that right well, but he is driven into desperation, feeling, as we have all experienced to-night, the utter incapacity or want of knowledge that pervades the Department of Agriculture now, in sending out hundreds of these pamphlets glowing with eulogiums upon the advantages possessed by the United States. But if the hon. gentleman who made these statements in this pamphlet was liable to the charge of want of patriotism, what shall be said of the Head of a Department of the Government of Canada that permits his Department, knowingly or unknowingly, to circulate those pamphlets

by scores and hundreds? There is a passage in this pamphlet that I desire to read bearing upon another question not exactly pertinent to the one now before the House, but it effectually controverts the position taken by the hon. gentlemen opposite with reference to another matter, that is, the emigration that is going on from Canada to the United States. I would like the Department of Agriculture, officially, to give us its authority for the statement here made:

"The settlers in the Red River region are of the most substantial character, well-to-do farmers from the older States, from Iowa, Wisconsin and Canada, and especially from the best parts of Ontario. The dominant nationalities settling on the Minnesota farms are Americans, Scandinavians and Canadians, in about equal proportions."

We have here a statement emanating from the office of the hon. the Minister of Agriculture that the State of Minnesota is being populated by Canadians from the best parts of Ontario.

Mr. HESSON: This debate has elicited the important information that this pamphlet, with which so much fault has been found, was introduced in a surreptitious manner into the office of the hon. the Minister of Agriculture. Now, it appears the hon. gentleman knows nothing about it except that it was published in the office of the *Montreal Herald*, and that as soon as the hon. Minister found it contained anything objectionable, he properly and promptly withdrew it from circulation. I think the whole discussion points strongly against an hon. gentleman on the opposite side of the House, a gentleman who now supports the hon. leader of the Opposition. I mean, Sir, the hon. member for Selkirk (Mr. Smith), in whose interest, I believe, more than in that of any other man in the Dominion, that pamphlet has been circulated. We are in possession of evidence that there is a large emigration of Canadians to the North-West. The *Stratford Beacon*, published in my county, under the heading "Another Exodus," says:

"Quite a number of persons from Stratford and vicinity left for the North-West by the Grand Trunk excursion on Wednesday. There were no less than three special trains, containing between 700 and 800 passengers, and any quantity of implements, household goods and live stock. A large proportion of the people were men of family, but there were quite a number of young men, and all full of bright hopes for the future. On the same day some

ninety persons, principally from the county of Huron, left for Dakota, preferring to seek their fortunes under Uncle Sam's protecting wing." So it appears that, after all, we have got a very much larger share of the emigration that has gone west from this country than the United States have got. The hon. member for Wentworth (Mr. Bain) said that a large number of persons had emigrated from the county of Cumberland, represented by the hon. Minister of Railways. Well, Sir, they may have gone west to better themselves; but I desire to remind hon. gentleman of the Opposition that it is unwise to taunt members on this side and charge them with the exodus of our people to the United States, as I observe by the quotation I have just read that the hon. member from South Huron is also losing his voters, as no less than ninety have gone to Dakota during the last week from Huron.

Mr. SMITH (Selkirk) : I desire to say that I was not aware that any of these pamphlets were being circulated among hon. members of this House, or in Ottawa; and as reference has been made by the hon. the Minister of Customs and other hon. members to the arrangement with the St. Paul and Pacific Railway for the working of the Pembina Branch, which came before the House during the Session of 1878, and was afterwards carried into effect by the late Government, I cannot doubt but that the hon. Minister of Railways will frankly admit that, notwithstanding the opposition of himself and some of his friends to that measure, when proposed by his predecessors in office, he himself, after carefully considering it, was so fully convinced of the advantages it would have given to Canada in respect of rates, and in many other ways, that he would gladly have renewed it exactly in its original form with the Railway Company; but as the Government, through their contractors, failed to carry out their part of the covenant, to have the road completed and in working order by a certain date the Railway Company was liberated from the agreement, and, knowing how much it would be to their own disadvantage to renew it, declined to do so. It is only fair to the hon. leader of the Opposition, and his colleagues in office, that this should be perfectly understood by the country.

Motion, with leave of the House, *withdrawn*.

## MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to :—

Order of the House—Copies of instructions given the Indian Superintendent, the Inspector of Indian Farm Instructors and all Indian Agents in the North-West Territories, with reference to the purchase of supplies either from the Hudson's Bay Company, or other persons.—(*Mr. Drew.*)

Address—Correspondence between the Government and the Hudson's Bay Company or its Land Commissioner respecting lands on Hudson's Bay, and with respect to their acquisition by any railway or steamship company, or to the Company's alleged rights in said lands.—(*Mr. Drew.*)

Order of the House—Copy of all correspondence respecting a subsidy to a line of steamships between a port or ports in Quebec and the Maritime Provinces and a Port in British Columbia, *via* Panama; and also, a copy of all correspondence respecting a subsidy to a line of steamships or sailing vessels between the said ports *via* Cape Horn.—(*Mr. DeCosmos.*)

Order of the House—Copy of all correspondence respecting a subsidy to a line of steamships between Canada and Brazil.—(*Mr. DeCosmos.*)

Order of the House—Return showing the number of Free Passes issued on the Intercolonial Railway and its branches, during the year 1878 and 1879, and the names of parties to whom such passes have been given.—(*Mr. Burpee, Sunbury.*)

Order of the House—Return showing number of nets seized on the Miramichi River and its tributaries, during the year 1879; the number sold, and whether by public or private sale, and the amounts they realised; the number and amounts of fines imposed, and how many are paid; also, the name of each lessee of a net in that district for same year, the number and nature of license each held, and the amount paid therefor.—(*Mr. Snowball.*)

Order of the House—Detailed statement of accounts of steam dredge *St. Lawrence*, while at work at Miramichi, for the years 1878 and 1879; the time she was employed there each year, and the quantity of work done.—(*Mr. Snowball.*)

Address—Statement of the amount of money that was deposited with the Government under the Insurance Act by the Atlantic Mutual Life Insurance Company of Albany, New York State, and the amount now held by the Government, with accrued interest, to the credit of the said company; copies of all correspondence between the office of the Canadian Insurance Inspector and the officers of the said Atlantic Mutual Life Insurance Company, and also with the Assignee, Receiver, Court officers, or other persons, regarding the settlement of the affairs and the distribution of assets of the said company to the Canadian creditors and policy-holders; and further, a report from the said Insurance Inspector, Professor Cherriman, as to the delay in dividing the said deposit, held by the Government of

Canada, between the *bona fide* creditors and policy-holders of the said Atlantic Mutual Life Insurance Company who reside in Canada.

—(*Mr. Casey.*)

Order of the House.—Detailed statement of account of Indian Commissioners for the Province of New Brunswick, for the years 1877-8-9; showing also, in detail, the amount received from Indian Lands and other sources, within that Province during these years.—(*Mr. Snowball.*)

House adjourned at

Twenty minutes before

One o'clock.

## HOUSE OF COMMONS.

*Tuesday, 23rd March, 1880.*

The Speaker took the Chair at Three o'clock.

PRAYERS.

### WAYS AND MEANS—THE TARIFF.

#### ADJOURNED DEBATE.

House resumed adjourned Debate on the proposed motion (*Sir S. L. Tilley*) to concur in the resolutions adopted in the Committee of Ways and Means (March 9th).

MR. WHITE (Cardwell) : Mr. Speaker, before entering upon the discussion of the subject which has chiefly engaged the attention of the House during this debate, that is, the National Policy as it is called, the policy adopted by this Parliament last Session, and the effect it has produced on the country, I desire to refer for a moment to the financial aspects presented by the hon. member for Centre Huron (Sir Richard J. Cartwright) and by the hon. the Finance Minister. I think it is well that at the close of this the first year, we should have an opportunity of contrasting, at any rate, the policy of the hon. gentlemen opposite with the policy of the present Administration. I think it is especially well that we should judge by the record of hon. gentlemen opposite as to their right to assume the tone which the hon. member for Centre Huron assumed the other evening in replying to the hon. the Minister of Finance. Sir, what was the financial record of the late Administration? How did they conduct the financial affairs of this Dominion? The hon. member for Centre Huron, in the first Budget Speech he delivered in this House, imposed upwards of \$3,000,000 additional taxation upon the people. He declared at that time that it

was wrong, as undoubtedly it is wrong, to permit continued deficits to occur between the revenue and expenditure of a country like this; and in imposing this additional taxation he took the ground that he would be able, by means of an economical administration of the affairs of the country and by means of the additional revenue which he would derive from the new measures which he had introduced, to carry on the affairs of the country in the future without in any way causing deficits between revenue and expenditure, and would be able, generally speaking, to show a surplus. Well, Sir, in the next year, in 1875, speaking within five months of the close of the then current year, he said: "I have every reason to believe that we shall have a reasonable surplus upon the Estimates of the current year." What was the result? Within the short time of a year after this promise made to Parliament and the country that there should be no deficits, he opened his speech with a wail of disappointment, acknowledging the utter failure of his Estimates. He admitted that in the matter of Customs duties alone he was nearly \$2,000,000 lower than he anticipated. Well, in 1876 further changes were made in the Tariff, with the view of again closing the balance between revenue and expenditure. In making his speech he estimated that for 1876-7 the revenue would be \$23,250,000 as against "an expenditure of somewhat less than that amount." One would imagine that with the experience of the two previous years that hon. gentleman ought at least to have acquired some degree of wisdom, that he ought to have had some knowledge of the probable revenue resources of the country. But what do we find? In 1877, referring to 1876, he used these words:—"The net result is this: that whereas our expenditure during the year amounted to no less than \$24,486,000 in round numbers, our total receipts fell to about \$22,587,000, being a total deficit of no less than \$1,900,000." After the imposition for the second time of additional duties, in order to secure the required revenue, the expenditures of that year exceeded the Estimates which he had submitted to Parliament, by upwards of a quarter of a million dollars; so that he

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had not only not succeeded in estimating correctly the revenues he was to receive, but he had, as was shown by the result of the year's transactions, been reckless in the expenditure as well. Well, Sir, he was then speaking within a few months of the end of the year; he was speaking as one supposed to have a fair knowledge of what was likely to be the results of the year 1877, in which that speech was delivered, and he claimed that for that year there would again be a small surplus of revenue over expenditure; and yet, in the speech of 1878, coming to deal with the previous year, he had to acknowledge another disappointment, and another deficit of \$1,446,000. Those were the last three years of the Administration of the hon. gentlemen, and during them were these differences between estimated and actual revenue. He had in 1875-6 estimated a revenue of \$25,250,000; the actual revenue was \$22,587,587. For 1876-7 he had estimated a revenue of \$23,250,000; he had an actual revenue of \$22,059,174. For 1877-8 he had estimated a revenue of \$23,400,000; he had an actual revenue of \$22,275,000. So that the hon. gentleman who ventures now to lecture the hon. the Finance Minister upon the disappointment which may have occurred in connection with his Estimates, is the same who, during three years had estimated his revenue at an aggregate of \$76,210,872, and had received an actual revenue of only \$71,100,000, a difference of nearly \$5,000,000, or an average annual difference between estimated revenue and actual revenue of no less than \$1,626,042. Now, I would ask whether, after a record of that kind, it ought not to become the hon. gentleman to be somewhat more modest, at any rate, in his censures and criticisms upon the hon. the present Finance Minister? Well, what was the record in relation to the deficits of those years? The hon. gentleman assumed office by proposing an increased revenue, with the view of preventing deficits. He made the declaration that it was little less than criminal for a Finance Minister to go on from year to year with increasing deficits. And what do we find? In spite of two changes in the Tariff, one realising, or expected to realise, somewhere about \$3,000,000, and another over \$1,000,000, we found in 1875-6 a deficit

of \$1,900,785; in 1876-7 a deficit of \$1,460,027; in 1877-8, \$1,128,146; in 1878-9, \$1,948,009; or, in all, deficits which are not and cannot be disputed—which are established by the records of Parliament—amounting to \$6,436,967. While this is quite clear, as established by the statements of the Finance Minister, and by what everyone knows in relation to the affairs of those years, all are equally aware that the last deficit would have been very much greater, but for the changes made in the Tariff last Session. The Estimate of the hon. the Finance Minister has not been impugned by hon. gentlemen opposite, so it is very evident that, but for the recent changes, there would have been an increased deficit from Customs of \$700,000; and from Excise of \$600,000, making in all an increased deficit of \$1,300,000, so that the actual deficits, instead of being the amount I have named, would, but for those changes, have reached about \$8,126,968, or not less than an average of \$2,031,742. I omitted from this amount another item which, as clearly established by the hon. member for Cumberland (Sir Charles Tupper), ought to have been added, \$390,000, which was charged to capital and renewal account, in connection with the Intercolonial Railway, and which, properly speaking, and according to Mr. Tims, the Auditor of that road, ought to have been charged to ordinary expenditure. Then, as to the ordinary expenditure under the hon. gentlemen opposite. I believe, Mr. Speaker, that we must, in the nature of things, look forward to a somewhat increased expenditure almost every year. We are a growing community; new interests are springing up and new obligations must necessarily fall upon us, which will, in the very nature of things, involve a larger expenditure. But that was not the view taken by hon. gentlemen opposite when they formerly sat on that side of the House. Their charge against the Conservative Government and party was that they were extravagant, reckless; that, if careful in the administration of public affairs, they might largely reduce the annual expenditure. We have, therefore, a right to hold them responsible and judge them now by their own standard. What do we find? In 1873-4, hon. gentlemen opposite made it appear by the Public Ac-



counts that the expenditure for that year was \$23,316,316. But I think I may say that the argument of the hon. member for Cumberland (Sir Charles Tupper), when sitting on the other side of the House, in relation to the expenditure of that year, relating to the items charged to ordinary expenditure which ought to have been charged to capital account, has never been impugned, much less answered. Of items included in the ordinary expenditure of that year, in order to afford basis of comparison, I venture to think, with other years, and enable them to make an exhibit more favourable to themselves with subsequent expenditures, we find no less a sum than \$1,022,823, made up of \$69,330 re funds made by hon. gentlemen opposite on the eve of the General Elections, to an important railway in this country, and which, certainly, were not fairly chargeable to the expenditure of that year; \$545,625 in connection with the Intercolonial Railway, which had never been before, and was not properly chargeable to ordinary expenditure; and \$407,868 spent in connection with the Dawson route, while similar expenditure afterwards, under the Administration of the hon. gentlemen opposite, was always charged to capital account. So the actual expenditure of that year, instead of being \$23,000,000 odd, was but \$22,493,423. Did those hon. gentlemen reduce that expenditure, or so act as to justify the confidence they claimed from the country as strict economists in relation to public expenditure? They did not. In 1874-5 they increased the expenditure over the highest of the previous Administration by \$1,417,678; in 1875-6, by \$2,152,179; in 1876-7, by \$1,223,908; in 1877-8, by \$1,203,156; in 1878-9, they increased it by \$2,155,381, or an aggregate increase of expenditure in those five years, over what they themselves had declared to be an extravagant expenditure on the part of their predecessors, of \$8,153,092, to which must again be added \$390,000 which Mr. Tims declared properly belonged to the ordinary expenditure of the country, when we have no less than an average of \$1,708,618 a year expended by hon. gentlemen opposite in excess of the highest expenditure of the extravagant Government that preceded them. But the ex-Finance Minister, referring to the Estimates

for the present year of \$25,000,000, tells us that these Estimates are enough to fill every hon. gentleman who desires the welfare of the country with serious alarm and misgivings, for the amount which the Government considers the least with which they can carry on the government of the country, those Estimates, which he puts at \$25,000,000. What were the hon. gentleman's Estimates the first two years he was in office? Here are the appropriations actually made for those two years, from which it will be seen that the statement of the hon. member for Cumberland the other night was strictly in accordance with the Appropriation Act, and cannot, on any ground, be impugned. Here is this statement: In 1874 the amount voted in the Appropriation Act was over \$26,000,000.

MR. CARTWRIGHT: Does the hon. gentleman suppose that was the original estimate?

MR. WHITE: I did not catch what the hon. gentleman said, but this was the sum of money he obtained for that year, although he did not spend it. The next year he asked for even a larger amount towards defraying the general charges, namely, \$27,117,107.20. So the first year the hon. gentleman brought in an appropriation he asked for \$26,000,000, the next year he asked for \$27,000,000, but now he is horrified at the fact that the hon. gentleman asked for \$25,000,000. It is quite true he did not spend all these sums, but the very next year, although he asked for \$23,000,000, he spent \$1,250,000 more than he asked for, showing that when he asked for too much he got alarmed at what he asked for and spent less, but when he placed the appropriation at a lower sum he spent \$1,250,000 more than the Appropriation Act involved. So much for the financial aspects of the late Administration. So much for the taunt of the hon. gentleman opposite, that hon. gentlemen on this side of the House display a want of skill and ability and carefulness in the administration of the affairs of the country. Now I come to the broader question which has been engaging the attention of this House; and if the House will permit me before I enter into particular details in reference to it, I desire to refer for a moment to a purely personal matter. I sat for two or three Sessions in the gallery where those gentle-

men are industriously employed in reporting the debates of the House, and I was compelled to listen to hon. gentlemen who considered my opinions, although I was not a public man, of sufficient importance to make them the subject of quotation and discussion on the floor of Parliament. Last year, although I did not happen to hear it, one hon. gentleman, an ex-Minister, did me the honour to refer to those opinions also. The same hon. gentleman, in a quiet, genial, joking way, last night, suggested to me, when I told him I did not propose to answer everything said on the other side, that perhaps I would consent to answer what I myself had said in former years. Now, I propose to take up the time of this House for a few moments in dealing with these charges, once for all. I do not introduce this personal matter out of consideration to myself, because I think my course a consistent one; but I know how these things are used for the purpose of influencing public sentiment outside, and it is for that reason I propose to refer to this matter. It is charged that while a member of the Dominion Board of Trade I expressed Free-trade opinions, that I was a pronounced Free-trader. In support of this, hon. gentlemen have quoted from the report of the proceedings of that Board. When I went into the Library to get the volume containing that report, I found everywhere ink-marks emphasising particular phrases and words, and I think I can hear hon. gentlemen as they came to these precise words giving them the desired emphasis, having prepared the emphasis in advance, in order to convince the House and the country that I formerly held these Free-trade views. It would have been honest on the part of hon. gentlemen if they had read the first sentence of the speech from which they have so often quoted against me. What is the difference to-day between the two parties of this House? What was the issue successfully fought by hon. gentlemen who now control the majority of this Parliament? It was this: that it was the duty of the Government, in certain conditions of the country, to adopt such fiscal legislation as would promote the prosperity and well-being of the country, as would give life and energy to its industries, and as would promote its commercial prosperity. What is the view I took in 1873?

How did I define my position? Here are the first words of the speech from which hon. gentlemen have quoted. I will read them and ask hon. gentlemen to say if they do not embody the issue presented to the people at the last election as between this party and that. I said:

"I wish to adduce some reasons for voting against the resolution which has been proposed by Mr. Wilkes, and why I think the Board ought to accept the amendment I have placed in your hands. I have no hesitation in saying that I am a Protectionist to this extent: I believe it is possible for the Government, by the adoption of a fiscal policy, to nurture, protect and promote the industries of the country. The Free-trade principle, on the contrary, is that just in proportion as it does interfere, it injures rather than benefits the manufacturing interests. From this doctrine I entirely dissent. It is quite possible for the Government to promote the manufacturing interests of a country; and especially in a new country like this, where there is not much accumulated wealth, where manufactures must be started on a very small scale, and where the market is limited, it is the duty of the Government to do what it can to promote them, by the adoption of a fiscal policy on the principle of incidental Protection."

These, Sir, were the initial words of the speech the hon. gentlemen have referred to, and what was the appreciation of it at the time? Let me give Mr. Wilkes's reply. He spoke immediately after me, and you will see what was the impression that my remarks made upon him. Mr. Wilkes said:

"The end of all such systems as Mr. White advocates is 'Protection all round.' One man wants his 'raw material' free of duty; but his raw material is the 'manufactured article' of some other person, therefore there must be Protection all round."

That was the answer of the gentleman with whom I was discussing the question. It followed immediately after the speech I had made, and he declared that he regarded it as a Protectionist speech, and one which involved Protection all round. It was therefore certainly not open to the charge hon. gentlemen have since made in relation to it. I have nothing to recall in connection with the ground I took on that occasion. I warned Protectionists, Protectionist as I was myself, that in the then condition of the country any attempt to get a higher duty than 15 per cent. would cause public agitation on the subject of increased taxation, and result in a want of permanence and a danger of reaction, and that a reduction back to

or below 15 per cent. would do more harm than an increased duty would do good. What, Mr. Speaker, was the position of the country in 1873? We had had large revenues and a series of surpluses; upwards of \$10,000,000, saved out of the revenue of the country, had gone into public works, or in other words in the reduction of the Public Debt. We were in a condition of prosperity so great that the hon. member for Centre Huron declared that we mistook inflation for prosperity. Every industry in the country was flourishing, every branch of commerce was flourishing, and every man in the country, who was willing to work, had the opportunity of working; and the argument I used then was that at that time, under those circumstances, it would not be desirable to have an increase of duty. More than that, the influence of competition from our friends on the other side of the line had not yet commenced to develop itself; they had not got over the effects of their terrible fratricidal war. A large amount of smuggled goods went into that country out of this; tourists every year took back with them by the underground railway enough to do them for the rest of the year, and saved in the difference of price the cost of their trip. That was the position in which we stood at that time; and if that speech is examined, it will be found by any man who knows anything of the commercial condition then, and the change which has taken place since, that the argument which had force in 1873 could have no force in 1878. Will any one pretend to say that the conditions were in any way the same, at the two periods; in 1878 we found every industry in a state of prostration, we found every commercial interest in such a state of depression as was never seen before. The proposition I laid down in opening that speech was that being in the power of the Government, it was their duty to adopt such a fiscal policy as would improve the industries and enhance the prosperity of the country at large. That was the doctrine that was carried out in 1879, and that was the doctrine I advanced in 1873. There was no inconsistency; there was no going back on one's-self, even supposing a going back on one's-self would have been a crime. What do we find in Canada to-day? Many men who were

strong Free-traders in 1873, men who were Cobdenites of the Cobdenites, who looked upon Free-trade as an axiom, as a dogma, that could not be departed from without committing sacrilege, we find such men as these in 1878 and 1879 coming into line as Protectionists. Before the hard practical facts of our position, all these theories of Free-trade had to be cast to the winds; and we find these men, convinced and constrained by solid facts, giving in their adhesion to the hon. gentlemen who now occupy the Treasury Benches. But it is a curious fact that, at the same meeting of the Board of Trade, Mr. Harty, of Kingston, brought up the question of the 10 per cent. differential duties upon tea, and what I said then was this:

“Mr. White opposed the resolution, and pointed out that the Government had done a very generous thing by the trade in repealing the duty at all; it was rather a hard thing now to ask the Government to discriminate in favour of New York importers against our own importers.”

Is not that precisely the same argument as has been used by me ever since? But for the fact that the statements to which I have been replying, have been used to the prejudice of my political friends—I am indifferent to them myself—I would not have troubled the House by referring to them. And now, Mr. Speaker, what has been the result of the National Policy for the last year? It is premature to attempt to judge of such a radical change after the few months of its operation. If we were unable to point to a single specific case of great advantage resulting from it, I venture to say that all sensible men would admit that it should have a fair opportunity of developing, whatever the result. But what is the fact? Fortunately this policy has acted almost with magical influence in changing the position of things in relation to a large number of industries. At first there were difficulties in connection with the working of the details in the Custom House. It was a radical change; it involved at the beginning certain difficulties in the making out of invoices and entries in all those practical operations connected with the passing of goods through the Custom Houses of the country; and there is no doubt that at the outset some difficulties had to be

encountered. There may have been some importers, there may be some still, who regard it as a nuisance, just as all men may be supposed to regard all Custom Houses as a nuisance. There is scarcely a traveller who has his luggage overhauled and tossed about who does not regard Custom Houses as a nuisance. But, notwithstanding these difficulties, I venture to say that the feeling in favour of the policy to-day will be found as strong, nay, stronger after the experience of those months of its working, than the proposition to adopt it was in 1878. There are one or two subjects that I desire to refer to specially, as these proved to be important topics of discussion, and particularly one subject on which some most extravagant statements were made by the gentlemen on the other side of the House. I allude to the effect of the duties on sugar. The hon. member for Lambton (Mr. Mackenzie) said the other day that the effect of these duties was to add from a cent to a cent and a half a pound to the price of sugar to the Canadian consumer; and the hon. ex-Minister of Finance went so far as to say it had increased the price from three to three and a quarter cents per pound. There is nothing like going it strong when one is at it; and the hon. gentlemen understand that maxim perfectly. But what are the facts? The hon. member for Centre Huron (Sir Richard Cartwright) should be the last man to attack us on this side for having adopted these duties; they are not a whit more protective than the policy he himself introduced in 1874; scarcely more protective than the Order in Council by which he tried to protect the sugar-refiners in Montreal. And it was only when having tried to do so then and in his failing to do it, not having the knowledge that he was trying to do what he was not legally permitted to do, it was only after that, that he became so bitter against the "legalised robbery" about which we have heard so much. But I repeat, what are the facts with regard to this alleged increase in the prices of sugar? I have the prices of granulated sugar in Canada, and so that there can be no doubt about it, I will hand this to the reporter, so that everyone can verify it for themselves. The fact is that the average price of granulated sugar in 1876 was \$9.50; the average price in 1877 was \$10.66; the

average price in 1878 was \$9.34; the average price in 1879 was \$9.00. Here are the figures, so that hon. gentlemen can verify them if they please:—

Wholesale trade prices of granulated sugar for the last four years in Montreal:—

YEAR.	DAYS.	PRICE.
1876.	1st to 5th.	10 1/4
	13th to 16th.	10 1/4
	28th to 31st.	10 1/4
	Average.	10 1/4
		9 3/4
1877.	1st to 5th.	10 3/4
	13th to 16th.	10 3/4
	28th to 31st.	10 3/4
	Average.	10 3/4
		10 3/4
1878.	1st to 5th.	9 1/4
	13th to 16th.	9 1/4
	28th to 31st.	9 1/4
	Average.	9 1/4
		9 1/4
1879.	1st to 5th.	9 1/4
	13th to 16th.	9 1/4
	28th to 31st.	9 1/4
	Average.	9 1/4
		9 1/4

The average price of sugar was, then, lower in 1879 than in any of the three preceding years. The hon. gentleman, the member for Lambton, will thus see that instead of an increase we have had an actual decrease in the price of sugar.

MR. MACKENZIE: Will the hon. gentleman allow me? What I said was this: that the Tariff had the effect of raising the price of sugar from half a cent to over a cent a pound more than it would have been under the old Tariff.

MR. WHITE: I know what the hon. gentleman said; I know the hon. gentleman's argument; and I have not ventured to address this House without being fully prepared to meet it. These are the prices of the wholesale dealers. I will repeat them: \$9.50 in 1876; \$10.66 in 1877; \$9.34 in 1878; and \$9.00 in 1879; it came down to \$9 after this "legalised robbery" came into operation, after we had taken to "washing our sugar," which is the highest conception that the hon. member for Centre Huron has of the business of sugar refining. In 1879, after the adoption of this policy, the refinery in Montreal re-opened its doors to the great joy and delight of many workmen who had been hoping against hope that the time would come when they would be earning a fair day's wages for an honest day's work. The first effect was to lower the price of sugar. It was argued that this was owing to the large amount of sugar in store, which had been brought into the country in anticipation of the new Tariff. The refineries were then blamed for dropping the price 1c. per pound. But another effect was produced. Not only was the price last year less than it was three years ago, but in times of scarcity and speculative excitement in regard to sugar, the home industry has kept down prices. In November last, a fact which will probably answer the hon. member for Lambton (Mr. Mackenzie), sugar was quoted in New York at \$8 per 100lb., net cash in bond, after the drawback was deducted. Under the Tariff of hon. gentlemen opposite the cost in New York would have been \$8; 25 per cent. and 1c. duty, and freight and the other charges would have made the total cost of the sugar in Canada \$11.35 per 100lb. The highest price reached in Canada last year was \$10.33, and that, I think, is a sufficient answer to the hon. gentleman. Then I have another illustration to give: in June, 1877, when there was no refinery in Canada, a sharp rise took place in sugar. In New York, at that time, granulated sugar was quoted at \$7.84, net cash in bond, and the price in Canada,

under the Tariff of hon. gentlemen opposite, rose to \$11.62 per 100lb. Last year, however, when the price in New York went up to \$8, the price in Canada was only \$10.73. The fact, therefore, is that the people of Canada, instead of having their sugar increased in price, have got it 1c. cheaper than they would have done had not the present Tariff come into operation. But there is another view. The price is higher than it was a few months ago, but it has gone up in sympathy with the increase in the cost of raw sugar. Here are the facts: Between April and November last year raw sugar advanced 49½ per cent. in New York, and refined 31 per cent., while refined in Canada only advanced 27½ per cent. The facts I have given are not mere suppositions, not mere deductions from assumed conditions, but literal facts, and hon. gentlemen opposite cannot shut their eyes to their true significance. I am aware that you will see in the *Globe*, and other organs of hon. gentlemen opposite, from time to time, figures to show that there has been a large increase in the price of sugar, figures comparing things which are dissimilar, refiners' prices in New York with merchants' prices in Canada; but the facts I have submitted are not based on calculations or suppositions, or mere estimates based upon some form of argument, but are actual facts, showing that we have lost nothing but gained vastly in consequence of the establishment of the refinery. And that being the case, let us ask if the country has been benefitted in other respects by the establishment of this industry. The hon. member for Centre Huron talked about the 300 people engaged in the refinery. Now, there are 400 male adults employed therein. The employes are not, as in some industries, boys, children, and young women, but male adults, many of them being heads of families. And there are other industries connected with the sugar refinery. There is the stave industry, and I may state that a large market has been opened for staves in consequence of the re-opening of the refinery. Then the coopers who make the barrels are benefitted, and the coal-owners receive no small amount of benefit; since for every ton of sugar that is made, a ton of coal is consumed. That fact should encourage our friends from

Nova Scotia. But, above all, a trade is being established with the West Indies, which will certainly assume large proportions. One peculiarity of this industry is, that it not only employs the people of the country, but it tends to establish a foreign trade of the best and most valuable kind. Last year I quoted from the American apostle of Free-trade, Mr. Wells. I will not repeat the quotation, but will simply remind hon. gentlemen that that gentleman—whose opinions ought to be accepted by them as gospel, whose opinions are of such importance that when the Depression Committee met some years ago, the first evidence taken was a letter from Mr. Wells—states that the sugar industry, from the point of view of developing and building up a foreign trade, ought always to be maintained and promoted. It will be admitted that anything that develops the shipping interest of Montreal is a matter of Dominion concern. That will be admitted by all parties; and I am sure, therefore, that the House will be glad to learn that this policy has had an important influence in that direction. I quote from the report of the Chairman of the Harbour Trust of Montreal, as follows:—

“It may not be out of place here to say that in looking whence the increase in revenue was derived, the first large item was from sugar. The imports of this article were *via* the St. Lawrence, in 1878, over twelve million pounds, Say . . . . . 12,289,843 lbs.  
And in 1879 . . . . . 64,375,656 “

An increase of . . . . . 52,085,813 “  
and which yielded to the revenue \$7,800 more than the previous year.

“To bring this quantity of sugar to our wharves there were employed (besides partial cargoes) no less than 45 vessels laden with sugar, aggregating 29,731 tons, and whose tonnage dues yielded to the harbour a revenue of \$4,552, while it may be safely estimated that the outward wharfage dues paid on these vessels was not less than \$5,000 more.

“Coal is another large item of increase. The imports *via* the harbour for 1879 being 183,231 tons, and for the previous year, 142,754 tons. The quantity from the Maritime Provinces last year, 55,917 tons, and this year, 117,256 tons; an increase of 61,339 tons.

“The additional revenue derivable from this source is on coal, \$4,600; and the increase of tonnage and wharfage outward will make this item at least as much more.”

That is one of the results of the adoption of the National Policy, and everyone must admit that it has been beneficial to the shipping interests of the St. Lawrence. I

saw a petition of the Board of Trade of the city of St. Catharines the other day, which referred to the practical benefits to internal navigation which would result from cheapening the charges on shipping at Montreal. Then there is the question of the West India trade, the great importance of which may be inferred from the fact that hon. gentlemen opposite were negotiating to give a direct money subsidy to a steamship company to carry the mails to those islands, and thus promote the trade with them. I think that was a wise policy, for I regard the West India trade as perhaps the most important feature in connection with the development of the foreign trade of this country. We have just had laid on the Table a return of the imports for the six months ending 31st December, in 1878 and 1879 respectively. Taking sugar of all sorts for the sake of my argument, I find that the imports from Great Britain in 1878 amounted to 19,038,564lb. In 1879, they were about 9,961,195lb. The imports from the United States in 1878 were 36,635,630lb., but last year they were reduced to 8,227,462lb. The imports from the British and Spanish West Indies were 4,517,857lb. in 1878, and last year they were increased to 36,030,051lb. Thus from Great Britain we imported a little more than over half as many pounds as we had imported the corresponding six months of the previous year. From the United States we only imported a little less than one-fourth of what was imported before, while our importations from the West Indies were about eight times more than they were the preceding year. Will anyone undertake to tell me that this is not an advantage to the interests of this country? But there is another fact which I ought not to omit. We find that from the Spanish possessions in the Pacific, from Brazil, and from the Dutch East Indies, the imports had passed out of existence in 1878, but in 1879 we find that no less than 5,368,256lb. of sugar were imported from those countries. I venture to believe that that trade will assume important proportions. As a market for lumber we know that the South American countries will become important traders with Canada, and the fact that we have been able in one year, as the result of the policy adopted last

Session, to establish an import trade from those countries, indicates another form in which this policy has been of great advantage to this country. But we were told, I think by the hon. member for South Brant (Mr. Paterson) in those magnificent tones in which he addresses the House, that Messrs. Redpath and Company have cleared \$600,000 in a single year by the operation of this Tariff. How he managed to get the exact figures of their profits must puzzle most hon. members. It is not usual for merchants to give their account books to members of Parliament for the purpose of enabling them to state their exact profits. They did not make that amount, though I wish they had; but if they had made it, the simple question arises, whether we had better not have, after the results I have shown to flow from this policy, \$600,000 made in a single year by Canadians, added to the wealth of the people of this country, to be used in it, than made by Americans, to be added to their wealth and strength, and to be expended in the United States. The strength and wealth of the country are, after all to be found in the wealth of its individual citizens, and just in proportion as we can build up trade, and make it profitable for capitalists to come here and make fortunes, instead of going to the United States, spending them there, and thus adding to the resources of our civilisation, just in that proportion will we make the country desirable to live in and promote and foster its best interests. From sugar to tea is an easy transition. I come, therefore, to deal with the tea duties. The *Toronto Globe*, I think on Saturday last, was kind enough to say that I was in some way responsible for the adoption of this policy. I make no such pretence. I take my share of the responsibility, like every other other hon. member who votes in favour of it. But if responsible for it, I should not in any way regret that responsibility. What was the tendency of the former Tariff in connection with tea? It was to centre the tea distributing trade in New York, while the object of this Tariff was to centre it, so far as regards this country, in the Canadian cities instead. Let me ask, judging by the statements laid on the Table, what has been the practical

result? It is this: the imports during the six months of 1878, from Great Britain, were 2,056,520lb.; last year they were 3,171,212lb. Considering that this Tariff was to destroy our trade with Great Britain, that is a tolerably good exhibit. This tea probably came in ships from England, thus contributing to build up our trade with it, and helping to establish our export trade as well. From China and Japan our imports of tea in 1878 were 575,529lb., and last year, 1,486,349lb. From the United States in 1878, imports were 3,516,314lb., and in 1879 they fell to 1,415,092lb. That is to say, our imports from Great Britain increased for the six months some 54 per cent.; from China and Japan 158 per cent., while from the United States they decreased 60 per cent. Yet in face of these returns, the *Globe* asks us today with the 10 per cent. duty in order to prevent the tea trade being centred in the United States. It has had the effect intended, that is, of centring in Canadian cities the tea distributing trade of the Dominion, instead of centring it in New York. I am aware there is a strong disposition on the part of certain New York merchants to establish brokerages and send tea from China and Japan, specially shipped, directly to our Canadian cities—to Toronto, Montreal and Hamilton; and that some of our Canadian merchants feel that that would be a practical evasion of the law. This is a matter which I am sure will engage the earnest attention of the Government, as to whether it is an evasion of the law. If there is a means of preventing it, I am quite sure that the merchants can depend on Ministers giving a fair and candid ear to any of their complaints—in this respect, as in many others, proving a striking contrast to their experience under the late Government. The distributing centre for us is now this country, the tea coming here direct from the place of production to those brokers. The only difference is simply this: whether the question of nationality can be in any way made a bar to the importation of goods to this country, or whether the question of ownership may be made a qualification for their importation. I offer no opinion in relation to the subject, but simply content myself with drawing the natural conclusion from the results of the last six months.

There was another subject a good deal discussed last year, and to some extent this Session as well, namely, the effect of the duty on coal. We are told by hon. gentlemen opposite, who seize on every evidence of depression, as if it was a sweet morsel to be rolled under their tongues, who seem to revel in the idea that some industries are not as prosperous as they might be, and that some people are still poor, depressed, down-trodden by commercial disaster, that the fact is that, in spite of the 50c. per ton duty put on coal, the output in Nova Scotia, or the sales, have decreased about 4,000 tons. Now, the output has increased about 18,000 tons. There was an issue of fact raised the other day between the hon. member for Cumberland and the hon. member for South Huron (Mr. Cameron). The hon. members opposite, who are so ready to charge the hon. member for Cumberland (Sir Charles Tupper) with inaccuracies, generally find that he never makes a statement in Parliament unless he has the assurance that it is founded on fact. The hon. gentleman stated that there had been an increased sale in Canada of coal, and this statement was vehemently denied. Well, the facts are these: In Nova Scotia, the sales in 1879 were 688,626 tons, and in 1878, 693,511 tons; in British Columbia in 1879, they were 228,974 tons, and in 1878, 190,640 tons, making the total sales in Canada in 1879, 917,600 tons, against 884,151 in 1878, or an increase for 1879 of 33,449 tons. But, after all, perhaps the hon. gentlemen opposite were not so much to blame for not remembering this fact; they scarcely realise that British Columbia is a part of this Dominion. I do not wonder they forget altogether that there are sources of wealth, enterprise, and natural advantages in the Pacific Province which will, I believe, in the near future, make it—and I sincerely hope my prediction may turn out correct—one of the most important and wealthy Provinces of the Dominion. But what would have been the effect, but for this duty of 50c. per ton?

MR. MILLS: In British Columbia?

MR. WHITE: The hon. member for Bothwell wants to know something about British Columbia. He will have an opportunity of answering me, and if we have the same result from his answer as

on a former occasion, when he was dealing with commercial questions, the House will not be very much edified. It is well known that the new residences and other buildings erected in St. John, New Brunswick, have been so constructed, as to furnaces, as to largely use anthracite coal, where formerly bituminous coal was used. As a consequence, chiefly of this, the export to New Brunswick of Nova Scotia coal last year decreased 31,000 tons. Last year coal everywhere was cheaper than for years before. We of the cities, who were alarmed at the predictions of the hon. gentlemen opposite last year as to the frightful price we were to pay for our coal, were relieved to find that we got it cheaper—I do not say on account of the National Policy—than for years before. The result of the low price of coal in the United States was the closing of that market to the Nova Scotia coal-owners, the actual decrease of their exports of coal to the New England States being 36,000 tons. Will anyone pretend that that was a result of the National Policy? The result is simply this: the sale of 67,000 tons less to New Brunswick and the United States, was made up to the coal-owners of Nova Scotia, in consequence of the 50c. per ton imposed last year, enabling them to send that quantity additional to Quebec and Ontario, thus compensating for the decline elsewhere. We know that the cotton industry, also, has improved under the National Policy; that in Montreal the Hudon cotton factory has doubled its capacity; that the Stormont factory has been built in Cornwall; that the factory in Valleyfield has succeeded for the first time in paying a small dividend to its shareholders; that in Hamilton contracts are let for a new cotton factory, to run on special lines of coloured cotton; and in the town of Coaticooke, in the county of Stanstead, so worthily represented by the hon. gentleman who sits beside me (Mr. Colby), another cotton factory is being established. Hardly a newspaper that comes to us but brings intelligence of new industries springing up in different parts of the country. Then, Sir, what was the effect of the Tariff on the importations of cotton? The imports from Great Britain in 1878 were 1,528,364 yards of cotton; in 1879, 787,542 yards; from the United



States, in 1878, we imported 3,962,625 yards; while in 1879 the imports decreased to 1,619,814 yards. The decrease from Great Britain was 49 per cent., and from the United States 59 per cent., all of which was filled up from the products of our own cotton factories, employing our own people, expending money in our own country, and giving courage to the various commercial enterprises of the land. I shall not refer at length to the question of agricultural Protection. I believe, however, our agriculturists will derive their chief advantage under the Protective policy adopted, from the building up of prosperous centres, affording ready and convenient markets for the perishable products of the farm. But, after all, something appears to have been done for agricultural Protection when we examine the returns to which I have referred. The imports of Indian corn which were 1,412,575 bushels, deducting imports for re-export in 1878, decreased to 548,973 in 1879, the difference being made up by the consumption of the coarse grains grown by Canadian farmers themselves. The quantity of oats imported from the United States in 1878 was 1,598,001 bushels, deducting imports for re-export, which decreased in 1879 to 26,759 bushels. One of the effects of the policy of the Government of the hon. gentlemen opposite was, when there was a surplus of oats in Chicago or the Western States market, that it was brought into Canada, to the prejudice of the Canadian farmer. One of the first results of this Tariff has practically been to exclude American oats from our market, undoubtedly to the advantage of the Canadian farmer. Of rye there was imported in 1878, 73,243 bushels; in 1879 that amount was reduced to 918 bushels. In the article of wheat, I deduct that imported for re-exportation, and I find that in 1878 a little over half a million bushels of American wheat, 4,203,911 bushels, were imported into Canada for consumption, and last year it was reduced to 6,466 bushels, a fact that I venture to think, had some influence upon the prosperity of the farmers of this country, in view of the large crops which happily they were blessed with last year. Last year we heard a great deal about the destruction of the oatmeal mills, yet I find that though those mills

had all been destroyed, the year before last we imported 739,000lb. of oatmeal from the United States, while last year we only imported 78,548lb., and that in spite of the fact that the oatmeal mills had all been closed up. Where the people got their porridge heaven only knows. As to flour, we find that there were imported for consumption into Canada 225,906 barrels in 1878, and only 50,478 barrels in 1879, the difference being made up with flour from Canadian wheat, ground in Canadian mills. Now, these facts taken from the official record of the first six months of this policy, are such as to show that the Government which introduced the policy has no reason to go back upon it, and the people who sustained them in its introduction have reason to be glad that they did so. We were told last year that one of the effects of this policy would be to destroy our export trade. We were told that the Government had placed such impediments upon the export trade of grain by the St. Lawrence that it would be entirely destroyed. What is the fact? In respect to the port of Montreal, I take the facts from the report of the Secretary of the Corn Exchange of Montreal, than whom there is no man more careful in his statements, and I find that in 1877 the shipments of grain from that port, including flour and meal, amounted to 17,346,678 bushels; in 1878 they were 20,899,187, and in 1879, 22,725,246. Of this the wheat receipts at that port increased 53 per cent. over those of 1878, and the shipments increased 53·77 per cent. over the shipments of the previous year. There are those who say that this is entirely the result of the better crops that we have had not only in Canada but the United States, and it is said that there was also a larger export from American ports generally of grain than during the preceding year. That is true. They tell us that although our exports have increased largely, the increase is not proportionately as large as in the exports from American ports. What are the facts? Unfortunately, Mr. Patterson, the Secretary of the Montreal Corn Exchange, was not able to procure for me the exports from all the American ports during the last year, but I have the exports from the port of New York. I find that the receipts at Montreal show an increase in

grain of all sorts of 5.74 percent., and at the port of New York an increase of 6 percent. But there is a difference between the receipts and shipments that ought not to be overlooked. In the city of New York, as in all the American ports, a large part of the receipts of grain that go there is for local consumption, and not for exportation, while at the city of Montreal, all but 2 percent. of the receipts are seen in the shipments. I have not the returns from the city of New York as to their shipments in 1879, but I have as to their shipments and receipts for 1878, and if that be a criterion, then the shipments at the city of Montreal show a higher percentage of increase than the shipments at the city of New York. In the latter place there is a difference of 29 percent. between the receipts and shipments, and in the city of Montreal a difference of 2 percent.; so that, taking, as I have said, this as the criterion by which to judge of the results of last year, the increased percentage at the port of Montreal is actually greater than the increased percentage at the port of New York. Now, we had some other predictions relative to this policy. We were told it was going to cause a feeling of irritation in England, that it would inevitably loosen the tie that binds us to the Mother Country, and that, in fact, it was a first step towards the severing of that tie altogether. What has been the result? I will ask hon. gentlemen of this House on either side whether there ever was a time in the history of England or of Canada when Canada stood better in England than it does at this moment? Why, when the hon. the Finance Minister went home to get his loan he made a loan that hon. gentlemen opposite are compelled to say was a good and favourable one; and when the hon. member for Centre Huron is forced to say a good thing of a political opponent we may make up our minds that the thing is very good indeed. We find that the Premier of England made Canada the special subject of one of his speeches in Great Britain, directing attention to this country as the future home of thousands of the people of Great Britain. We find that the tenant farmers of England, sending out their delegates to this country, have received reports back which point out this fact, which, I think, as British subjects we may be proud of,

that in moving to Canada the Englishman simply crosses the sea, but does not change his institutions or his flag, still remaining under the aegis of the British Crown. Then we have the Commissioners from the Royal Commission, appointed to enquire into the subject of the agricultural depression in England, visiting Canada and going back with the most friendly declarations, and with the most friendly reports in relation to the present and the future of this country. So that, so far from there having been a loosening of the tie, I believe, the tie is being steadily strengthened; that so far as England is concerned, this Colony never stood in higher estimation in England than it does to-day. It is quite true that we had read to us the other day, a letter from the Right Hon. John Bright, saying that he regarded this Tariff as a very bad one, and that it would lead to a severance of the connection between the two countries. But it is well known that Mr. Bright has never been very favourable to Colonial connection. I can remember when in England a few years ago there was undoubtedly a tendency towards an anti-Colonial feeling, no man was more forward in the expression of that feeling than the right hon. gentleman whose letter was read to us the other day. I venture to think that, with all respect for the Right Hon. Mr. Bright—and no one has a higher respect for him than I have—I venture to think that we in Canada understand our business and our interests as well as he does. We find many men coming to this side who, before they came here, were as firm as Mr. Bright in their Free-trade opinions, and who in England were regarded as authorities and apostles in Free-trade principles. But finding themselves here and face to face with the position of this country, its relations to the neighbouring Republic, its peculiar commercial position, they have admitted that the policy we have adopted is the only one that can save us from absolute commercial annihilation. I think we may fairly offset the opinion of Mr. Bright by the opinions of such gentlemen as these. But we were told also that this policy was going to produce a feeling of irritation in the United States, that they were certain to resent our action, that the moment they found this policy adopted here they would

pass laws to retaliate upon us, and that as forty-five millions were so much more powerful than four and a-half millions on this side, it was folly for us to enter upon so unequal a struggle. What has been the result? Has there been any such feeling on the other side? So far from that being the case we find things going on just as they were. A few weeks ago they had put an embargo upon the importation of Canadian cattle into their territory, and everybody who looked upon our National Policy as a bad one, immediately said that that was evidence of their intention to retaliate. Well, they have removed the embargo, our Government having been able to convince them that there was no danger to American cattle from Canadian cattle going into their territory. Only last week I had a letter from a friend, who is a member of the Massachusetts Legislature; he takes a great interest in Canadian affairs, and is Honorary Secretary of the Board of Trade of the United States. In this letter he encloses a resolution passed by the House of Representatives of the Protectionist State of Massachusetts, showing very clearly that there is no feeling of irritation, but, on the contrary, a growing disposition that better trade relations between the two countries are in the interests of both. Here is the resolution, passed on St. Patrick's day—the better the day the better the deed:

“Whereas, A joint resolution has been proposed in the National House of Representatives for the appointment of a Commission, to confer with a Commission to be appointed by the Government of Great Britain, and thereby to ascertain and report on what basis a treaty of reciprocal trade can be negotiated for the mutual benefit of the people of the United States, and of the British Provinces adjacent to our northern frontier, therefore,

“Resolved, By the Senate and House of Representatives of the Commonwealth of Massachusetts, in General Court assembled:

“That the renewal of reciprocal trade between the United States and the Dominion of Canada and other British Provinces of North America, will be of great benefit to the people of this Commonwealth; and this Legislature desires that Congress may provide for a competent Commission to co-operate with the State Department under such regulations as shall be deemed expedient, with a view of applying principles of Reciprocity to so much of the trade between the two countries as may promote their mutual interests.

“And His Excellency the Governor is hereby requested to transmit a copy of this resolution

to each of our Senators and Representatives in Congress for their earnest consideration.”

That, Sir, is the resolution passed only last week in the Protectionist House of Representatives of the Protectionist State of Massachusetts, showing that far from there being any disposition to retaliate, there is a disposition to draw nearer and closer the bonds of commercial connection between the two countries, with a view of bringing about that free interchange of such articles as may fairly be interchanged between the two countries without injury to either, but on the contrary to their great mutual advantage. So I think we may say that as to these particular predictions they have not up to the present time been realised. But there are some objections which hon. gentlemen have urged to this policy. They tell us that prices have gone up; they tell us the poor man has to pay much more for everything he purchases, and that he gets no more for his labour. Well, Sir, I might satisfy myself on this point by saying that the testimony of hon. gentlemen opposite is that increased prosperity invariably brings higher prices. I might refer to the fact that the hon. member for Centre Huron, in his speech only the other night, admitted that he trusted to increased prices in his last Budget speech, for an increase of revenue which would enable him to bring the revenue and expenditure to an equilibrium. Here, from the speech of the hon. gentleman, is what he said:

“We have been blamed for not imposing further taxes in 1876. What was our position then? We had recently imposed heavy taxes. We knew that we were very close to the true effective limit of indirect taxation, and also that a very slight revival in the price of ordinary staple articles would suffice to restore our revenue, and therefore we determined that it was our duty to practice the strictest economy, and to exhaust all reasonable means before adding any further to the burden of the people.”

So that that hon. gentleman himself actually based his hopes of a restoration of the equilibrium between revenue and expenditure upon the coming better times, and the coming of better prices as the consequence of those better times, which he looked forward to in the early future. Not only that, but he also said, accounting for such prosperity as he admits we are now enjoying:

"The facts are that while we have been blessed with a remarkably good harvest, there has been a great scarcity, amounting to positive famine, existing through a large portion of Europe; that prices and wages have gone up in the United States, and, as a consequence, there is an improvement in that country—an improvement which gives us better sales for our lumber, and, in certain cases, better rates of transport for our transportation companies."

Thus we have the hon. gentleman, who only the other night told us that higher prices are evidences of increased prosperity, at the same time telling us that higher prices are a curse to the people of this country. But I happen to have here another authority—a couple of extracts from the leading organ of the Opposition, to the same effect. On February 3rd, the *Toronto Globe* was urging the importance of the immediate construction of the Ontario and Quebec Railway, and concluded its argument in these words:

"It is unnecessary to add that now is the time to proceed with the business. We are on the eve of a revival of business all the world over. With the revival will come a general rise in the price of material and labour by means of which the cost of railroad building will soon be almost doubled. At present labour is to be had in any quantity for very little money; but if time is lost, and the work of grading, and so forth, only entered upon when the good times come, the company will be competing for labour in an understocked market, and the great opportunity now presented will have passed away."

Then again, in a later article on the conduct of the hon. the Finance Minister in adopting to some extent specific instead of *ad valorem* duties in his Tariff, the same authority said:

"All these undesirable features are, in Sir Leonard's eyes, offset by the capacity of specific duties to prevent the revenue from falling in hard times, when the values of foreign merchandise is falling, and thus to avoid the necessity of the Government entering upon the same course of economy which circumstances have forced upon the people."

That is a statement that hard times means falling prices. The writer then points out the necessity for the Government adopting a course of economy, and proceeds:

"His specific duties will yield him no more because of the very great increase of values of the importation which has taken place and is still proceeding. Fortunately for the revenue, he has left a portion of his taxes in the *ad valorem* shape, and consequently he has not entirely thrown away the increased revenue to be

obtained from rising values. But he has done enough in this direction entirely to vitiate any conclusion that the increase of revenue will accompany the increased value of importations as it formerly did. As we are now undoubtedly in the presence of a rising tide, the grand effect of the National Policy on the revenue is seen to be that it will again prevent us from reaping benefits which we should have reaped if the Tariff had been left alone."

There is a statement that the prices of importations are increasing, and the increase is still proceeding, not because of the National Policy, but because of the restoration of better times. And what prices are going that is made against the hon. the charge Minister? That while on the Finance up, in consequence of better times, the hon. gentleman is not going to tax the people additional on the *ad valorem* principle, on these higher prices, but he is going to leave their taxation at the same rate as before the increase took place. That is the argument used against the hon. gentleman. Then we are told that there have been a great many failures under this system. Well, unfortunately, I believe there will always be failures in commercial transactions. I heard a merchant of wide experience in commercial affairs say that of all the men who entered business not more than 10 per cent. succeeded. But, Sir, whether that is true or not, what are the actual facts with regard to the failures of last year? Are they due in any way to the National Policy? Are they not, on the contrary, due in the first instance to the fact that men, who had been hoping against hope, who had been struggling under the policy of the hon. gentlemen opposite, were compelled at last to give up. And, in addition to that, the announcement made in this House last year that the Insolvency Act would be repealed within a year, induced many men who had doubts about their position to go through the Insolvency Court, in order that they might start afresh with the revival of trade. The hon. member for North Perth (Mr. Hesson) made the statement the other night, which it is worth repeating, that of the failures of 1879 nearly 40 per cent. occurred before the National Policy was adopted at all. Surely it will not be pretended that the National Policy was responsible for those failures. During the last quarter of the year, when it may be fairly assumed the National Policy had

commenced to have some influence on the trade of the country, only 16 per cent. of all the failures of the year took place. Yet these hon. gentlemen aggregate the figures and throw them broadcast through the country, in order, if possible, to show that there had been no revival in the commercial condition of the country. Now let me give you as a proof that the knowledge of the fact that we were going to repeal the Insolvency Law had something to do with the number of failures, the experience of our friends on the other side. I find that in 1878, when, as everyone knows, times were beginning to be better in the United States, there was a larger number of failures than had ever taken place in one year in the United States. I find in that year there were 10,478 failures and the aggregate sum involved in those failures amounted to \$234,383,132. What is the remark made by the compiler of the work from which I quote, Mr. Spofford, the Librarian of Congress, in relation to those figures? He says: "The larger proportional number of failures in 1878 is attributable to the repeal of the National Bankrupt Law taking effect September 1, 1878, and availed of by many seeking a discharge from their obligations." That, Sir, is precisely the same experience as has taken place here. A statement was made by one of the hon. gentlemen opposite giving some specific facts in regard to the failures that had taken place. When hon. gentlemen deal in generalities, it is hard to meet them, but when they come down to specific facts, as they did on the sugar question, in regard to which I think I have successfully met them, they are readily answered. The hon. member for West Elgin (Mr. Casey) undertook to go into some specific facts in relation to the National Policy. His speech was in reply to the speech of the hon. member for Lincoln (Mr. Rykert) and the hon. member for Lincoln took the trouble, as any hon. gentleman should do, when the merchants, business men and manufacturers of his constituency are traduced, as these were by hon. gentlemen opposite, to enquire into these statements, and he has been kind enough to give me the result of his enquiries in the replies of those gentlemen. Now, Sir, what do we find? The hon. gentleman said that Yale and Company had failed, as the result of the National

Policy. And yet we find that the attachment in insolvency was issued in 1877. He stated that the Dolphin Manufacturing Company was in the hands of an assignee, and yet, Sir, we find that the attachment was issued in April, 1878, when the hon. gentlemen opposite, to the great misfortune of this country, still occupied seats on this side of the House. Then we were told that Simpson's ship-yard had been closed as the result of the National Policy. The attachment was issued in 1877, when hon. gentlemen opposite were still in power. Then we were told that R. H. Smith and Company's saw works had applied for exemption from taxation for five years, that so oppressed were they that they were compelled to apply for some little modicum of relief from the National Policy in exemption from municipal taxation. Now, here is a telegram from Mr. Smith. He says:

"March 22, 1880.

J. C. RYKERT, M. P.:

"Letter received. Have employed one-fourth more men last six months than same period in five years. Exemption was agreement in 1873 for ten years, when new shop started. Worked over-time this winter. Believe National Policy a good thing.

"R. H. SMITH & CO."

Then we were told that Collinson, Burch and Company had a monopoly, and were, therefore, making a living in spite of the National Policy. Here is their statement:

"March 22.

"We have been benefitted very much by the National Policy; have increased our capacity nearly double, and are employing a larger number of hands.

"COLLINSON, BURCH & CO."

Then we are told that the Cotton Batting Company were going out of business, and that one man only was employed. Here is their statement:

"March 22.

"Tell the members of the House of Commons that the St. Catharine's Cotton Batting Company would not be in Canada to-day had it not been for the National Policy, and if the duty is taken off they will take the machinery back to the other side, as we can get cotton cheaper and save freight, which is quite a consideration. Americans are trying to run us out of Canada by selling lower than the real cost of the goods, and if they shut us up will raise the price in twenty-four hours. We are able to judge, as we sell more cotton batting in this part of

Canada than all the factories combined. We would ask for a further increase of duty.

"GEORGE B. TOWERS,

"St. Catharine's Cotton Batting Company."

These men who were destroyed by the increase actually want a further increase. It cannot, therefore, be said that the high duties have injured them. The next statement is in reference to Oile's foundry. I know Mr. Oile very well, and used to meet him in connection with the Board of Trade. He was a pretty sound Protectionist, and a good sound Clear Grit. We were told by the hon. gentleman from West Elgin that he used to employ sixty men in 1878, and that he only employed ten now. Well, here is Mr. Oile's statement, which I suppose the hon. gentlemen opposite will accept :

"March 23.

"September, 1878, nineteen men employed ; September, 1879, seventeen ; now until May next, thirty-seven !

"GEORGE N. OILE "

We were next told that the St. Catharine's Stoves Works were for sale ; but Mr. Merritt, who is interested in this concern, says :

"March 23.

"National Policy had nothing to do with stove works closing. The directors felt the policy was decidedly beneficial to their business.

"THOS. R. MERRITT."

We were also told that the St. Catharine's Wheel Works were closed, and that eighty men formerly employed there now owe their want of employment to the terrible burden of the National Policy. Well, what we find is this, in a letter from a gentleman connected with the works :

"March 22.

"DEAR SIR,—The closing of the wheel works here arises solely from the fact that, owing to the death of one of the partners (the one who attended to the business), and the inability of the other, from press of other business, to attend to it, the partnership had to be wound up. The business is upon a much healthier footing than it was two years ago, and to anyone who will attend to it and run it, it will pay a very handsome return, thanks to the market that the N. P. has now secured for it. Had the Mackenzie Government remained in power and adhered to their same policy, the winding up of this business would not have been solely contingent on the death of the managing partner.

"Yours truly,

"WM. CHAPLIN,

"For JOHN DEWE & Co."

Then the Welland Vale Works, we are told, did not employ half the men formerly employed there. Here is the reply to that statement :

"ST. CATHERINES, Ont., March 22nd, 1880.

DEAR SIR,—I am in receipt of your letter of 19th instant, informing me that 'Mr. Casey and others have asserted in the House that the National Policy has injured us severely, that the number of men employed has decreased, that we only run about half time,' and requesting me to state in reply what effect the National Policy has had on our business.

"I suppose we should be grateful to Mr. Casey and our other Free-trade friends for the great interest they now manifest in our welfare ; but when we remember how they treated us during the time they had the power of practically demonstrating the genuineness of that interest, we do not take much stock in their expressions of sympathy. You may, however, safely assure them that we can endure a good deal of such injury as the National Policy is doing us without any great outcry on our part. You may also venture to say on our behalf that we are employing 50 per cent. more men now than we did during the last year of the existence of the Mackenzie Government, and would and could employ a still greater number if we could now get them. It was during the days of the late Government that we ran half or part time. You may still further say, and no doubt this will be news to Mr. Casey and the others, that notwithstanding the exclusion of American scythes forks and hoes to a very great extent, these goods are being sold by Canadian manufacturers at less prices than the manufacturers in the United States are getting in their own market.

"Yours truly,

"WM. CHAPLIN,

"Manager."

Then, Sir, we were told Mr. Sullivan's machine shop was in the hands of an assignee. Mr. Sullivan writes that this was due to losses sustained in other respects, and he gives strong testimony in favour of the National Policy. Then we have the statement that the Lybster cotton mills had been shut down for three months, and that the wages were reduced 10 per cent. The answer to that is :

"MERRITON, March 23.

"The National Policy our only salvation. September, 1878, employed one hundred and eighty-five hands (185), fortnightly wages sixteen hundred dollars (\$1,600) ; September, '79, two hundred hands (200), wages seventeen hundred dollars (\$1,700) ; March, '80, two hundred and ten hands (210), wages seventeen hundred and fifty dollars (\$1,750).

"JAMES PRIOR."

I think now we may fairly say that where these gentlemen enter upon par-

ticulars and challenge us to give them evidence of increased prosperity, we can answer them as soon as the telegraph can bring the information. Another argument which is used is that a great many people are moving from the different Provinces into the Western States, and many into our own North-West, and we are told that this is the result of the National Policy. Those hon. gentlemen, however, know that the exodus from the different parts of Old Canada is in no way due to the National Policy. It is largely due to the fact that the farmers have become involved, that their families were growing up about them, and that they see no prospect of getting for their boys and girls farms in their immediate vicinity. Consequently, they go off to the Western States or our own North-West where they have better chances of beginning over again. This exodus is the result of years of depression. But there is another fact to which it is also due, namely, that on this continent there is a restless migratory spirit which induces the people to move from one part of the country to another. We find that hosts of people who had settled within the last decade in Kansas and Texas have moved to other portions of the Union, and the same process is and has been going on on this side of the line as it has been going on on the other side of the line. Take the Census of the United States for 1871; and what do we find? Canada at that time had lost half a million of her population; that is, half a million of Canadians were found in the United States, or nearly 14 per cent. of the Canadian population were on the other side of the lines. But we find this fact, that twelve States of the Union had each lost a larger proportion of its population than had Canada. The same migratory spirit existed there as existed here. The ten States east and south of Lake Erie all were prosperous and all looked upon as most important, yet these had lost 27 per cent. of their population. They had lost population that had gone into other parts of the Union. New York, Ohio and Pennsylvania were all prosperous States, and yet from the State of New York over a million of the native born population of the State had left, or 24 per cent.; from Ohio 800,000 people had left, or 30 per

cent.; and Pennsylvania lost 690,000 of its native born population, or 19 per cent. In fact, it is well known that the Western States absorbed the whole of this exodus, and have been largely built up by it. We had then, practically, no North-West. We had up to within a year or so no means of ingress to that country, so that people preferred to go into the Western States of America. But I believe that this story of emigration to the Western States of America—which is one of the most marvellous stories in the history of the movements of populations—I believe that that same story will be repeated on this side of the line in these Western territories of ours. How have the Western States developed themselves in the last half century? By the last Census in the Western States, including the State of Michigan, there were 12,298,381 people, and the statement is made that now the population of those States is 18,000,000. Fifty years ago only five of these Western States appeared in the Census Returns, namely: Michigan, Indiana, Missouri, Arkansas and Wisconsin, and these had only a population of 702,958. Forty years ago, two more States—Wisconsin and Iowa—had been added, and the aggregate population of the seven States had reached 1,929,589. Thirty years ago, four more States had been settled—Minnesota, California, Oregon and Texas, the favourite State of the hon. member for Lambton. There were in that year 3,951,346 people in those eleven States. Minnesota, which to-day has 800,000, had at that time only 6,000 people. Twenty years ago, all the fourteen States had 8,241,841, and ten years ago the population of these States had increased to about 12,398,381. If you take some special examples of increase in population on that side, we may fairly anticipate what may be done on this side of the line. Kansas, in 1870, had a population of 364,399; in 1879, it had 849,978, or an increase of 133 per cent. In 1870, Nebraska had 122,993; in 1879, it had 386,410, or an increase in nine years of 214 per cent. Minnesota had, in 1870, a population of 439,706; in 1875, 597,407, an increase in five years of 36 per cent. What are the lessons this enormous increase teaches us? They teach us if we are true to ourselves in connection with the development of the

North-West, we may repeat the wonderful story in this country. We have a territory that is in all respects equal to those Western States to which I have been referring. On this point we have the testimony of Mr. Taylor, the American Consul at Winnipeg, a Minnesotan, who states, in relation to the development of this territory, that three-fourths of the grain-producing area is north of the line. We have the testimony of Mr. Macoun and others connected with the Geological Survey; we have the testimony of travellers who have gone through that country, all to the effect that there are there fields for extensive settlement. We have in the North-West a territory greater in cultivatable area than that of the fourteen States of the Union to which I have made reference, and we have it ready to open up, if we are but true to ourselves. I was sorry and pained to hear, and every reflecting man must have been pained to hear, the remarks that fell from hon. gentlemen opposite, as to our inability to bear the responsibility that the opening up of that country will impose upon us. In answer to these observations, I give them the remarks made by their own colleague, the hon. member for Centre Huron. In 1875, he referred to the responsibilities and obligations which this country had assumed. I will read the statement he then made, because his remarks were in such marked contrast to the position now taken by him and other members of the Opposition. He said then:

“One thing we may fairly say, that the sacrifices which we are called upon to make—if sacrifice; they may be called—are such as we are asked to make, not from a selfish point of view, but in the interest of the whole of the Provinces of the Dominion. We have chosen to take upon ourselves a truly imperial task—a greater task than was ever undertaken by a nation of our age and resources—that of colonising and developing a most enormous extent of country, not so much for our own benefit as for that of the generation to come.”

That is the responsibility we have undertaken, the sacrifice if you will; but it will produce great benefits in the future. If we go on that country will be filled with hundreds, and thousands, and millions of people from this and other countries; and we may see the wonderful story repeated, on this side, which our friends on the other side of the line have taught us in connection with western development. But

what we want is faith in our own country. Faith is important, it is essential not only for matters hereafter but for matters here. Men and communities can no more accomplish great results on earth without faith than they can obtain eternal salvation hereafter, without it. This development of our western Provinces is a development, not in the interest of one Province, but in the interest of the whole Dominion. The National Policy which has been adopted will secure to us those markets as the country comes to be filled up. Everyone knows that to-day Canadian goods are found there in that territory where a few years ago none but English goods had found their way. Just as in the Western States, they had markets for the products of their Eastern States, our Eastern Provinces will find markets in our North-West Provinces. If we are true to ourselves we will be able to build up a country immense in territory, wealthy and prosperous, of which we and our children and our children's children may well be proud.

MR. CASGRAIN: I have listened with attention to the very able speech of the hon. member for Cardwell (Mr. White). I do not intend to follow him on all the line of argument he took, because it has been repeated over and over again by others; but I shall claim the indulgence of the House for a short time while I make a few remarks on the subject under consideration. When the policy of the hon. the Minister of Finance was first expounded, last year, it was thought that he was promising a little more than he could give: the fact is that when he brought down his Budget he took very good care to leave a margin on one side as to his estimates, and on the other side as to his expenditure; but this year when he comes before us he finds that he is mistaken in both respects. It is true that he has for the current year found a certain specific, in the shape of paper money, in an issue of \$8,000,000, by which he expects to make good the probable deficit he will have to meet next year; but I am sorry to say that this expedient, in my opinion, and in the opinion of many others in this country, will not call forth that expression of approval which he hopes to win. The hon. gentleman is proposing an additional



issue of \$8,000,000. When I see that we have already \$12,000,000 of this paper currency; that we owe to Savings Bank depositors nearly \$10,000,000; that there has been absorbed of the Indian fund about \$3,000,000; that the running accounts, including some other deposits for the current year, amount to \$2,000,000; when I find in all a total amount of \$35,000,000 representing the credit of the country, based and backed upon about \$3,000,000 of bullion, I am naturally much alarmed. I confess I would prefer, like the hon. member for Cardwell (Mr. White), to look at the bright side of the medal; but I feel bound to look at things as they really are, and obtain an insight into the real position of our affairs. With this three millions of bullion to back up this thirty-five millions of liabilities, we have about 8 $\frac{1}{10}$  per cent. cash to meet our liabilities. Well, Sir, I will give to the hon. the Finance Minister the idea which the astute financiers of the sound institutions in the United States, in England, in France and in Germany, think ought to be the proportion of cash to liabilities. If the hon. gentleman will refer to Bagehot, who has written a very valuable work on the subject, entitled "Lombard Street," published in 1873, a summary will be found of the liabilities due to the public by the Bank of England, the Bank of France, the Bank of Germany and the National Banks of the United States, and not one of them will show such a small amount of cash to represent the liabilities. The Bank of England shews 11·2 per cent., the Bank of France 25 per cent.; the latter has one hundred and twenty-five millions sterling of liabilities, with thirty-two millions of solid cash, besides there being other deposits to an immense amount, for which it does not pay interest, and which is available at any time to the Bank. In Germany, the banks have eighty-eight millions sterling of liabilities, and forty-one millions of cash, or 47 per cent. The National Bank of the United States, 12 $\frac{3}{10}$  per cent., or twenty-six millions of cash and two hundred and twelve millions of liabilities. And yet in a small country like this, which has in prospect, however, the immense Territories of the North-West, which yield such enormous revenues, and which we are told are going to flow with milk

and honey, and so forth, and pour it into this Dominion, we are to have only 8 per cent. cash on liabilities. I say we cannot, and it is not safe to put the credit of the country in such jeopardy as it will be if we go on at this rate. In looking more closely into our expenditure, which this Tariff is going to increase, I have endeavoured to place the matter in a clear light before the public by showing what are the actual daily expenses of the Dominion Government. Nobody, perhaps, has thought it necessary to make a calculation in this way; but everyone will understand it better in that than in any other way in my locality. I see an item in our Estimates for about ten millions for interest; that will make, for interest alone, something like \$1,400 per hour or \$33,000 per day, merely on account of interest. What is the total expenditure proposed for this year? We have twenty-five millions and some odd dollars; and that will make something over two millions a month, or over \$69,000 a day, or \$2,900 per hour, or \$55·50 per minute—assuredly a very small amount for so large a country as ours, so promising in future resources. If I understood the hon. Minister of Finance correctly, he stated that the former Tariff gave 16 per cent., less a small fraction, of average duty. The increase by the present Tariff is 4 $\frac{1}{2}$  per cent., which added to the former rate is about 25 per cent. The hon. member for Cumberland looks at our condition in his own peculiar way. Sometimes he puts a microscope in one eye and a telescope in another. When he looks at the expenditure he finds it dwindled to nothing, but when he looks at the resources he finds them very much magnified and distended. He states the North-West Territory is a land of promise. Last year he ventured to prophesy a little more than he could realise; this year he declares he is no prophet nor the son of a prophet. I think the facts prove that he is neither the son of a prophet nor a prophet himself. I see the matter in a very different light from that in which the hon. gentleman views it. I would be very glad if there were the resources in that country that he endeavoured to make out. I think that if there is anything which will make this country drop quietly into

the United States, it is the extravagant, foolish policy that has prevailed in Canada for the last twenty years. In 1871 there was already an exodus of half a million people to the United States, and I venture to assert that there are now 600,000 Canadians in that country, five-sixths of whom are of French origin, the people who compose the bone and sinew and true blood of our country. I will not say that the emigration has been due to the National Policy, but I think it is due to the policy of former Governments. We all admire the prosperity of France. What is the cause of that prosperity? The main reason is that the money of the country remains within it instead of being sent to other countries. The policy in this country, however, will have the same effect as the absenteeism complained so much of in Ireland. Every dollar in gold will be turned from this country to the other side of the Atlantic. We are going fast to ruin at the present rate. The expenditure is increasing every year. The Pacific Railway, of which we hear so much, is not yet built. It will take many years to complete that work, and some hundreds of millions will be spent thereon. I have not been able to ascertain the average cost per mile of that work, but I will try to give some facts that will perhaps open the eyes of hon. gentlemen on this question. In my opinion the enormous expense in working the railway and keeping it in repair, will be such, that we will not be able to reap any advantage from it, if indeed we are even able to work it at all.

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

### After Recess.

MR. CASGRAIN: Before recess I was explaining my views on the magnitude of our debt. I propose now to lay before the House a few statements in regard to our future expenditure. The Estimates for this year, without taking the Supplementary Estimates into the account, amount to \$25,000,000. The outlay for the Pacific Railway will run this year between \$11,000,000 and \$13,000,000. Indeed, the expenditure on that work will average something like \$100,000 a day. But this view has been expressed by an editor in much better terms than I can do it. He writes as follows:

"Only in private does prudence venture to whisper that the resources of Canada are really limited, that her wealth must depend in her frugality, and that an unambitious happiness is her lot. Public Debt is piled up heedlessly, because a couple of hundred millions can matter nothing to those who are about to enter into a fabulous heritage of opulence and grandeur. We are ready for a mere freak of ambition, to spend a hundred millions of dollars in the incorporation of British Columbia. This will probably be the awakening, and we shall find that we have been forestalling not only the actual future of our country, but a magnificent dream."

I am afraid that these words are too true.

AN HON. MEMBER: Give the name of the author.

MR. CASGRAIN: The name of the author would not add to the weight of the reasons. A former member of Parliament was once deceived in that way. A false name of an author was given to him, and he found the statement all right; when the true name was given he found it all wrong. I contend that the country will not long be able to afford this expenditure. For the last fifty years we have enjoyed perfect peace in the country, and made savings for a rainy day; and I would like to know in what predicament the hon. the Minister of Finance would find himself if there was an appearance of or a war on the Continent of Europe or in this country. I hope we shall never be placed in that predicament; but, if the day ever does arrive, we cannot expect to fare better than the United States during the rebellion, when their paper money was quoted between 280 and 300 for gold. We commenced Confederation in 1867, with a debt of \$84,000,000. We have now doubled that amount, and what have we got to show for it? There are some improvements in canals and railways, but I think we have not got the value of all our money. It is the same thing that happened in the time of Louis XIV when there was a demand for money for war purposes. The cry then was, "Money, money." This system of Government demands money—more and more—every day. Look at the first page of the Estimates. There is an increase of \$57,277 in the first items on the first page. It is true that you will find a small decrease on the other side of the column, but the good Conservatives are not able to carry on the affairs of the country without more money, and plenty of it. And with all that lavish

expenditure, last year I happened to ask for a small trifle for a station in the county of L'Islet. The amount would only have been \$300 or \$400, but it was thought I was begging, like Lazarus, at the table of the rich, and I could not even get that small sum for a necessary improvement. Now, I do not see why such improvements should not be made in the Province of Quebec, especially in view of the fact of the immense expenditure in connection with the Pacific Railway. We of Quebec form part of the Confederation, and are entitled to proper consideration in that respect. When this vast expenditure is made on the Pacific Railway, I am afraid that we will have to repudiate, like some of the States of the Union. I do not wish to become an American citizen, but the conduct of hon. gentlemen opposite is driving us in that direction whether we will or not. It will not then be a cry of annexation, but a cry of necessity. It is intended to build the Pacific Railway, respecting which one of our former respected members, now no more, said this near end will be rotten before the far end can be built, which is true, considering the progress so far made. An idea of the magnitude of our debt might be formed from the fact that if the hon. the Minister of Finance were to live twenty-five years longer, or till one hundred years of age, he would not, counting all that time, be able to enumerate \$100,000,000 let alone the \$167,000,000, due by this Dominion. Our ancestors were more prudent and carefully counted large sums, and their cities were much less encumbered with big debts than are ours to-day. We have granted \$100,000 to the Irish poor, and I am very glad we have been able to do it, out of our bountiful harvest. I suppose that this large and munificent donation did not deprive Ministers of the opportunity of making private subscriptions to that fund, or exercising private charity. Charity by power of attorney, or by Government, does not appear in the same light as individual charity. I refer to this for two objects: first, because the grant was an act of justice to our Irish people; and second, because the Irish people to-day are beginning to have a voice in the counsels of the Empire, and to show their strength after having been so long crushed

and trampled upon. Reference was made by the speaker who preceded me (Mr. White) to the tour made by the Commissioners. This leads me to look at the effect of our emigration system since Confederation. We have been spending an average of \$234,000 a year on this service. As a citizen of Quebec and the Dominion, I say we have not derived one dollar of advantage from that expenditure; we cannot point out, in any of the various localities, any solitary case of settlement therein through this colonisation agency. Can the hon. the Minister of Agriculture point out in the Province of Quebec any result from this emigration system. Let us curtail those expenses, and strive, so far only as necessary, to people our North-West Territory, after all our only land of promise. As was proved from the mouth of the hon. member for Cardwell (Mr. White), not only have we not benefitted from the expense thus incurred, but we have lost every year large numbers of our own population. The hon. member for Cardwell (Mr. White) has been trying to find some cause for this exodus. The principal cause was this: under the system of Conservative Government, whatever might have been the case, then—I do not suppose the National Policy sent our people away—the only true explanation of their departure is this: the soil is less productive, less advantageous than that on the other side of the line. In the United States they find better wages and better living. What are we doing at present to repatriate those Canadians in the States? I wish that the money which is to be spent for the colonisation of the North-West would be expended in bringing back those emigrants to their old homes, or settling them in the North-West. I have been trying to ascertain what may be the working expenses of the Canadian Pacific Railway. I will take first the estimates of the hon. the Minister of Railways, of the working expenses of the Intercolonial, which, in 1879, were \$2,817 a mile, and in 1878, \$2,536. I hold in my hand a statement of the expense per mile of the Railways of the State of New York, from 1858 to 1878; and upon the basis formed by them, and the expenses of the Intercolonial, I have calculated the probable cost of the working of the Canadian Pacific. The average cost of the maintenance of the road per mile for repairs,

machinery and operating the road would be \$8,950 per mile, according to the American returns. That sum appears excessive, but it is based correctly on American experience. Calculating on this basis and on that of the Intercolonial Railway, the working of our Pacific Railway could not cost less, at the lowest possible estimate, \$2,000, than \$7,000,000 a year; if we add at least \$4,000,000 or \$5,000,000, interest on the \$100,000,000 of capital, we shall be saddled with an expense of \$12,000,000 a year for this Pacific Railway, and what advantage shall we derive from it? We will unite, with the rest of the Dominion, British Columbia with its population of about 10,000 whites—I do not count the Chinese—and this white population is so thinly scattered over the country, that at present I defy the Minister of Agriculture to take an exact Census in that Province. Out of that white population, how many are Yankee adventurers, who are going to reap all the benefit of this large railway outlay? For that sparse population, why should we spend \$12,000,000 a year? Even were the road built from Thunder Bay to Burrard Inlet, I say that on the north shore of Lake Huron and Superior it is physically impossible to build that road. I have gone over part of that country, and know the enormous difficulties it presents to railroad construction. I have some little taste for landscape painting, and more particularly animal life, and I recollect seeing a splendid picture of Landseer's, admired by all the English artists. Barring comparisons, the picture represented a fine large English mastiff, seated in his kennel, and alongside him a little Scotch terrier just coming out and barking, with the following inscription below, "Dignity and Impudence." The impudence of the terrier reminds me of the impudence of the hon. member for Cumberland, who has done all the barking on this subject of coal. We have none in Quebec, and so have to submit like all the others to the National Policy and pay our duty of 50c. a ton on coal, now 60c. My hon. friend the Minister of Finance was kind enough to prescribe for friends from the Lower Provinces. He coated a pill for them, and said, "they have got an equivalent for it. You pay a duty on flour, but we grant you a duty upon coal." I would like to ask my hon. friend if he

could not likewise prepare a little pill for us in the Province of Quebec. We are between two fires; we are between the flour duty in Ontario and the coal duty in the Lower Provinces, and I do not see what advantage we reap from either. If the hon. gentleman could give us, for instance, a little aid in relieving us from the embarrassment of the debt incurred in building the North Shore Railway, that would be something, and we would accept it gratefully. Perhaps he may receive a demand for help one of these days. I would also call the attention of the hon. the Minister of Finance to the duty on flour. I can tell him that this duty is felt as an onerous one in the Province of Quebec. That Province is not a wheat-growing country. We import an immense quantity of flour, quite as much, proportionately, as the Maritime Provinces. In my county alone, from what I have been able to ascertain, there is an annual importation of 15,000 barrels of flour. That amount pays a duty of \$7,500 into the Dominion Treasury, quite a considerable tax for one article alone. The people understand it perfectly well. When they buy a barrel of flour they have to pay half a dollar extra for it, or one-tenth more. In other words, they do not get a baker's dozen for their money. Every tenth loaf is taken from their children's mouth. I hope some of these days the hon. gentleman will see his way clear to give a small equivalent to the Province of Quebec for what we have lost by this Tariff. In making a demand for such equivalent, I have no doubt I shall have the unanimous support of my friends from the Province of Quebec. No doubt they will exert a pressure on the Treasury Benches to that end, a gentle pressure that will perhaps compel the hon. gentlemen to hand over a few million dollars. If the Government is governed by majorities all that is required is to secure a majority in demanding an equivalent for our Province. I will conclude my remarks in assuring the House that it is with deep regret that I have felt compelled to make these strictures on the policy and conduct of the hon. gentlemen opposite. I am not alone in my Province in holding these views. Many others are whispering in secret what I have just expressed openly, and many Conservatives on the other side

know it and feel it also. I hope that I may be mistaken, but I believe that a persistence in its present course of folly and extravagance by the Government will result in the ruin of this country. On the other hand, if this National Policy should succeed in retrieving the country from the state into which it has fallen, I would be the first to accept it and to acknowledge that I had been wrong. As a citizen who desires, above all things, the welfare of his country, I can only hope that my predictions may not be realised.

MR. COURSOL: Mr. Speaker, at the risk of displeasing a certain newspaper published in the interests of the Liberal party, a paper which takes so unflinching an interest in everything I do, and manifests so great a solicitude in my behalf, I cannot comply with its desire; for there is no need of making a long speech in order to meet the unceasing assaults of the Opposition on the National Policy. I must, nevertheless, say a word as to the economical and industrial position of the city I represent. I must point out the benefit already conferred by the policy of Protection we have adopted, and express my conviction and firm assurance of its final success; for in matters affecting industry and trade, when you speak of Montreal, you speak of all Canada; Montreal being the great centre of business, cannot prosper if the rest of the country is suffering. If we take Montreal as the test, we shall know the true and real position of, at all events, the old Provinces of the Dominion. Let us do so then; let us interrogate the commercial metropolis of the Dominion, and hear what she tells us by the voice of her business men, her manufacturers, her bankers. All of them admit the beneficial effects which Protection has already begun to produce. New manufactories are being opened within the limits of the great city and its suburbs. Those which the disastrous policy of the Liberal leaders had compelled to suspend operations and close their doors, have resumed work, and give, as in former times, employment to a multitude of workmen, and bread to thousands of families. Capital has once more taken confidence, and, no longer in dread of foreign competition, is producing in our own country, by the hands of Canadian workmen, a host of

articles which but yesterday we were compelled to purchase abroad. In wages alone the workshops and factories of Montreal are distributing more than \$50,000 a week. This money, which supplies the needs of over 8,000 families, helps the local trade, and prosperity is springing up all along the line. These beneficial effects are experienced, not in Montreal alone; from all parts of the Dominion we have similar good news. Business is reviving; a degree of activity which augurs well for the future is manifested, as many hon. members of this House have already pointed out, and the hon. the Minister of Finance has been enabled to witness for himself. Differing in that respect from his predecessor, he desired to examine for himself the effects of the National Policy. He did not believe that the Government could do nothing, and should do nothing for our industries and manufactures. He visited the manufactories in order to see things with his own eyes. He conversed with the workmen and enquired into their wants, and was enabled to learn directly from the men themselves the effects already produced by the operation of the Tariff, and the great results expected from it. The hon. member from Lunenburg (Mr. Mackenzie) for whom no one has more respect for his integrity, his talent, his industry than myself, and the hon. member from Centre Huron (Sir Richard J. Cartwright) would have considered it derogatory to their dignity to have done this. In fact they maintained the doctrine that the Government had nothing to do with the prosperity or decay of our manufactures. They went so far, in fact, as to deny the existence of the evil. Like the Sybil of old, they hid behind a curtain in order to deliver their oracles in favour of Free-trade. They covered their heads in order to avoid the sight of the ruin spreading throughout the country. There is none so blind as the man who does not wish to see. The same obstinacy, the same set purpose, the same prejudices, produce the very opposite effect now that those gentlemen are seated on the Left. To hear them talk, nothing is prospering in the country; they see nothing but ruin in every direction, and heavy burdens imposed upon the unfortunate people. They are determined, at any price, that the predictions made by them eighteen months ago before the

MR. CASGAIN.

people shall be realised. Facts are staring them in the face from every direction, and confounding them; but they deny those facts. They are simply repeating what they have been saying since 1878. At that time they may have gained a very few adherents, but to-day the number has so diminished that those hon. gentlemen are preaching in the desert. But, Mr. Speaker, there remains for the Liberal party—and I address myself specially to the hon. member for L'Islet, who this evening stands forward as the leader of that party—a means “ever ancient and ever new,” which may serve their turn for a certain time, but which in the end invariably results in the discomfiture of those who use it. That means consists in a systematic abusing and insulting of their adversaries, and a distorting of facts. Such was the course pursued by those gentlemen in the late General Election; such is the course they are still pursuing. In Montreal East, for instance, there are large numbers of workmen of the building class. Now, that class have not as yet experienced the beneficial effects of the National Policy. We all know that in consequence of the terrible financial crisis through which we have just passed, a large number of manufacturing closed their doors and put out their fires. The workmen, finding themselves thrown on the street, and unable to obtain employment, went elsewhere to earn bread for their families, and their tenements remained unoccupied. In fact, in manufacturing centres many vacant houses are still to be seen. So long as this state of things shall not have completely changed, the need of new buildings and new houses not being felt, it is impossible that the building industry should prosper as it did before. But let the factories resume activity, as they cannot fail to do soon, let the demand for labour recall those who have gone—and of this there is already a beginning—and builders, carpenters and masons will soon know the benefits of Protection. Besides, the season now opening begins under happier auspices. I am glad of this for the sake of the deserving workmen of Montreal. Their intelligence, industry and honesty entitle them in the very highest degree to the sympathy of our Government. It was that class who, in September last, sent me here to defend

their interests and to support the National Policy; it is for that class and in order to take advantage of its temporary distress; that hon. gentlemen opposite and their henchmen are keeping up their factious clamour. But the people are too honest, too intelligent, to be caught in so clumsy a snare. The workmen have judged those hon. gentlemen, and estimated them at their real worth. The Liberals knew this so well that they had to disguise their candidate as a Protectionist in Montreal East. They are now swearing at Protection, after having hypocritically cloaked themselves with it in 1878. Were it not for that the people, whom they are now again trying to deceive, would have driven them with shame from every hustings in the country. They may asperse characters and distort facts, but the venom they emit will be fatal only to themselves. I was selected by a majority of 1,500 votes in 1878, over an opponent who called himself a Protectionist, and my successor will be elected by a majority of double that number should those gentlemen face the fight. The people, I repeat, are too intelligent, too honest to be deceived by demagogues, and I have faith in their good sense as they themselves have faith in the National Policy.

Mr. CHARLTON: In rising to address the House upon the question of the propriety of the policy of Protection which has been adopted by the Government, I am willing to confess that the experience of the country as regards that policy, has not extended over a sufficient length of time to render that experience a very satisfactory one. The policy has had but a partial trial. Nevertheless, I think that we may, in looking at the result of this partial trial, find reasons quite sufficient to warrant us in the belief that the policy has thus far been injurious to the country, and is likely to prove still more injurious in future years. We had the pleasure this afternoon of listening to an address from an hon. member of this House, who is always listened to with pleasure. The hon. gentleman has a reputation, perhaps not as high as the reputation for superior knowledge which Elisha had among the sons of the prophets, or Gamaliel in the schools of Jewish law, or Plato and Socrates in the classic groves

of Greece, when the glory of her palmiest days rested upon her; but the hon. gentleman has had a wide experience in public affairs. For many years he has been a prominent journalist. For many years he has engaged in Board of Trade discussions and matters of that kind, and he is considered, and justly so, a very good authority. However, I was surprised to find that hon. gentleman on this occasion take my hon. friend the member for Centre Huron (Sir Richard J. Cartwright) to task, and make a very serious mistake in reference to the expenditures made by the late Government. That hon. gentleman informed this House, with reference to the statements made by those who had the honour to lead this Government some years, that in the year 1875 the expenditure of that Government was larger than had been claimed or acknowledged by the Government. He took the Supply Bill for 1875, and informed us that the expenses of the Government under that Bill amounted to \$26,168,244. The hon. gentleman neglected to scrutinise closely this Supply Bill. He fell into some two or three mistakes, which I will take the liberty to point out to you. He neglected to ascertain that \$13,107,625 of this amount was chargeable to capital account. Had he deducted that amount from the amount of the appropriation, he would have found the balance to be \$13,060,619. Had he added to this sum the sums payable under the Statute, such as Subsidies to the Provinces, Interest on the Public Debt, etc., he would have arrived at the expenditure for that year. The three mistakes the hon. gentleman fell into were these: first, he did not know what to deduct for the Supply Bill; second, he did not know what to add; and third, he did not know anything about it. In the same way the hon. gentleman might have taken the Supply Bill for the following years. He might have asserted that the expenditure for this Government was \$27,117,000 in 1876.

AN HON. MEMBER: He did.

MR. CHARLTON: He did assert it, whereas there were \$13,737,000 chargeable to capital account that year, and the balance was \$13,379,982, to which, if he had added the sums to be expended under the Statute, he would have arrived at the expenditure for that year. These blunders, on the part of so prominent a member as

the hon. member for Cardwell, lead us to look with some suspicion upon the other statements he has made, and naturally lead us to look with some suspicion upon the deductions arrived at. The hon. gentleman took occasion to forestall remarks that I suppose he thought would have been made in reference to the positions he had formerly taken, as recorded in the records of the Board of Trade. I believe that he had sequestered the book that referred to these matters, as I was unable to find it. However, I was enabled to get a little information, and what information I have I will give for the benefit of the House and the hon. gentleman himself. I find that, at the meeting of the Dominion Board of Trade, in 1873, Mr. Thomas White moved,

“That this Board of Trade is further of opinion that permanence in the fiscal policy of the country is most important, alike to its commerce and its manufactures, and that no change should be made in the Tariff not demanded by the absolute necessities of the revenue.”

At that time, Sir, we had a 15 per cent. Tariff. I find that in 1877, four years later, a motion was made—I am quoting this from memory, because I could not obtain the book, but I think I can give its substance correctly—declaring

“That the present Tariff (17½ per cent.) was fair and equitable, and afforded fair protection to manufacturers.”

This motion carried unanimously, and Mr. White was present and made no objection to its passage.

MR. MACKENZIE: He approved of it.

MR. CHARLTON: In January, 1875, at the meeting of the Board of Trade, Mr. Francis Clemow, of Ottawa, moved, seconded by Hon. James Skead:

“That the Executive Council urge upon the Government such a line of action as shall conduce to the development of the great iron deposits of the Dominion, by royalty or otherwise.”

Moved in amendment by Mr. Henry Fry, of Quebec:

“That all the words after ‘that’ be struck out, and the following substituted ‘that the paper now read be received and placed on the minutes.’”

Mr. Thomas White voted for the amendment, and consequently voted down Protection to the iron industry. I find in

June, 1876, Mr. White, in some remarks made before the Board of Trade, is reported to have said :

"I hope, Sir, that the resolutions with one exception will pass. I do not believe, and have no hesitation in saying it here, and I propose to move an amendment with a view of striking that point out. I do not believe that it would be to the advantage of this country to put a tax say on the wheat coming in this country. I do not see the possible necessity for it."

I cannot understand how if he did not see it then he is able to see it now. The hon. gentleman informed us that it was the duty of the Government to adopt such a fiscal policy as would promote the interests of the country. I can most heartily agree with him in that statement, and the question that arises is what is the proper policy to be adopted to promote the interests of the country. Hon. gentlemen contend that the National Policy is calculated to promote the best interests of the country, and I contend that it is not. In reference to the tea duties, the hon. gentleman defends the present policy of the Government. It was noticeable, however, that he practically admitted the charge recently made, that the great bulk of the tea trade of Canada is passing through the hands of American brokers, which I believe to be the case. As I understand it, Canadian importers are not able to import what are known as chops of tea. In importing a cargo of teas from China or Japan there would be a large quantity of teas of a quality not saleable in Canada. American importers import chops of teas as all qualities are saleable in that populous country, and send such qualities as are suitable for the Canadian market; they are sending into this country, through their Canadian agents, ostensibly as direct importations, and are rapidly monopolising the tea trade of Canada and to the great detriment of our own merchants. With reference to the differential duty upon teas, it is of great importance to our merchants to have new teas at as early a day as possible—new teas can be obtained *via* San Francisco and the American Pacific Railway one or two months earlier than by any other route. Consequently the differential duty is a vexatious one to the tea dealers of this country, and is avoided by the American importers, who have agents in Canada professing to be importing merchants

bringing their teas through the United States in bond. The hon. gentleman lays great stress on the fact, if it be a fact, and it is a matter of little importance whether it is or not, that sugar is lower now than it was one or two years ago. The prices of commodities in the markets of the world are constantly fluctuating. The real question is, is the price of sugar relatively higher than it was before the adoption of this Tariff. I hold that the assertion made by hon. members on this side that sugar is higher than it would have been under the old Tariff, is incontrovertible. It matters not as to whether it is actually lower, the question is is it relatively lower than under the old Tariff.

MR. WHITE: The facts are simply these: Raw sugar in New York has increased  $49\frac{1}{2}$  per cent., and refined sugar 31 per cent. Refined sugar has only increased in Montreal  $27\frac{1}{2}$  per cent.

MR. CHARLTON: The question we have to do with, Mr. Speaker, is what could we bring it in for under the old Tariff. I noticed that the hon. gentleman in the whole course of his speech forcibly reminded us that he was the member for Montreal by way of Cardwell. He laid great stress on the interests of Montreal and upon the fact that this Tariff had created industries in Montreal that were beneficial perhaps to that city, but a source of great expense to the rest of the Dominion. By putting \$600,000 or \$800,000 into the pockets of one firm in Montreal, by bringing a few cargoes of sugar to that city, by giving employment to a few hundred labourers in that city, Montreal was benefitted at the expense of the rest of the Dominion, including the constituency he represents on the floor of this House. The hon. gentleman came in due time to agricultural protection, concerning which he very prudently declared he would not have much to say. He thought that the greatest advantage the farmer would realise from this policy would be from the building up of consuming centres. As I wish to refer more fully to this matter of a home market later on in my remarks, I will pass that over for the present. The hon. gentleman next goes on to the consideration of the charge made that the adoption of this Tariff would produce a feeling of alienation in the Old Country. He asserts that



that assertion is false, and the proofs he offered are these. In the first place, we obtained a favourable loan there. Well, I do not suppose English capitalists inquire very seriously as to what the fiscal policy of the country may be that is applying for a loan on the English market. The United States can borrow money there. Turkey could borrow money there once. Almost any nation can borrow money in England. The fact that a nation can borrow money on the English money market is not an indication as to what the state of feeling may be in reference to the fiscal character of the nation which is the borrower. The hon. gentleman next cited as a proof that no alienation has been produced, the fact that the Premier of England has made Canada the special subject of a speech, and it is reported that some one prompted the Premier to make that speech. It is not as much to his credit as some other speeches he may have made in the course of his life. He gravely informed us that the North-West was drawing off the whole population of the west, that the emigration of the country was all setting in that direction, that emigrants were deserting the prairies of Minnesota and Dakota and other western States, and flocking into our North-West. Almost exactly the reverse is the case. Who the hon. gentlemen obtained his information from, I do not profess to say, but that the Premier of the British Empire should have made a speech, in which he displayed singular ignorance upon Canadian matters, is certainly not a very strong argument to bring forward to prove the assertion, that no feeling exists in England against our National Policy. The truth is, the feeling does exist in England. The great mass of English people feel that the fiscal policy of the present Government is one of hostility to England. The feeling of cordiality that has existed and still does exist to a great extent, has been weakened by the policy of the hon. gentlemen who now occupy the Treasury Benches. The hon. gentleman referred to the question, as to whether the policy has produced a feeling of irritation in the United States, and he tells us it has not, and he cites as one proof of this assertion that the cattle embargo has been removed. It is, however, no proof that no such feeling exists. The cattle embargo was, perhaps, put on as a

gentle reminder, that we would do well to modify our own cattle regulations. We have no assurance that it will not be imposed again. Is the hon. gentleman aware that in consequence of the absurd policy first proposed by the hon. the Finance Minister of imposing a higher duty on malt imported from the United States, although we actually imported no malt from that country, that a Bill has been reported, and is now before Congress raising the duty on malt to an extent that will ruin the malting industry of Canada? Is the hon. gentleman aware that there is a movement on foot in that country for prohibiting the transportation of produce and merchandise passing between the western and the seaboard States by railway lines passing through Canadian territory, on the ground that such trade is a practical infringement of the coasting laws of the United States? Is he aware that there is a feeling of soreness there that we will do well not to increase to a greater extent than necessary. He tells us that resolutions have been passed about Reciprocity recently in Massachusetts, the Protectionist State of Massachusetts. Now, I was not aware that any of the States of the American Union fixed their policy as regards Protection in one way or the other. I suppose the State of Massachusetts, in common with all other members of that Confederation, were under the Congress of the United States in this respect, that Congress fixed the fiscal policy of the Union, and that Massachusetts was merely one of the States which must bow to the behests of Congress. What kind of Reciprocity do you suppose they expect to offer us? They are willing to enter into a Customs Union or Zollverein. That is the Reciprocity alone that we can obtain from the Americans. In reference to the fact that a large emigration is going on from Canada to the American States, we are told that same movement is in force in the Eastern States of America, that thousands have been leaving and going to the western States of the Union; but there is a difference between the two movements. The movement in the States is a movement from one part of the country to another part of the same country; but the movement in Canada is a movement from this country

into a foreign country. These men are leaving us, and cease to be a portion of the population of our Dominion, and their leaving us is a calamity. We were told, by the way, that the National Policy would correct that evil, but it does not seem to have been a corrective. The evil does not seem to have diminished; the volume of emigration increases day after day. Then the hon. member for Cardwell gave us some interesting statistics with reference to the growth, prosperity and and greatness of the western States of America. He gave the population of Minnesota and Wisconsin, and he told us about the States west of Lake Erie. He evidently had fallen into the same line as the hon. the Minister of Agriculture, who permits the insertion of advertisements of American lands in the pamphlets circulated with the professed design of encouraging immigration to our own country, and also of the hon. the Postmaster-General, who has permitted the insertion of advertisements of American land companies in the *Postal Guide*, which advertisements advise Canadians to leave the rocks and stumps of this country and go to the fertile lands of the Arkansas valley. The Government of this country has evidently become a great advertising agency for promoting emigration to the western States of America. So much for the remarks of the hon. member for Cardwell. I do not wish to occupy the attention of the House at too great a length, and I will therefore come to something more immediately concerning the question before us. The hon. the Finance Minister has found it necessary to propose numerous changes in the Tariff, and so it is with all who attempt to frame a Protective Tariff. They find it necessary from year to year to come down and propose numerous changes. Such has been the history of Protective tariffs in the United States. From the beginning changes have been made in that country almost every year, important changes, numerous changes, and continued changes to suit this interest or that interest or the other interest, as one or the other might happen at the time to predominate in influence. This question of the Tariff is necessarily a threadbare question; the ground has been traversed again and again; it is almost impossible to say anything new on it; but it is possible to go over the ground again, and

give some salient truths that will bear to be reiterated, that ought to be reiterated again and again, till they are so thoroughly impressed on the people of this country that they will never be forgotten. What led the hon. the Minister of Finance to grant Protection? In arranging the Tariff and perfecting the details, who stood at his elbow? Who influenced him? Was it the millions who pay the sums extracted by that Tariff? Or was it the representatives of the monopolists that sought to wring their unjust gains from the sweat of the poor labouring men? Was it not their representatives that dictated the terms of this National Policy? It cannot be denied that it was their representatives. Protection is, under every state of circumstances, a loss to the many for the gain of the few. It can be nothing else, it never has been anything else; and it never will be anything else to the end of time but legalised, organised robbery under the forms of law. Has the hon. the Minister of Finance found that this policy, at the end of the year, has added materially to the revenues of the country? He has not; and he has still further lessons to learn, as this policy develops itself; and he will be enabled more thoroughly to appreciate the fact that while adding to the burdens of the people, it destroys the revenue. If the manufacturers are to have the monopoly by excluding the goods that compete with them from the country, what revenue are you to get on the goods? The source of revenue is dried up by the very same act that compels people to pay largely increased prices to the monopolist. And you cannot make a Protective Tariff an equal benefit to all manufacturing classes; it is not and can never be made such; you cannot devise a Protective Tariff that will work equally and evenly; it will benefit one class more than another class of manufacturers. You can only point to three classes of manufacturers who derive from the National Policy unmixed benefit. These are sugar refiners and cotton and woollen manufacturers. All engaged in the manufacture of iron are taxed by duties on coal and iron. And nearly every other manufacturing industry save those of the three classes I have named have had additional taxes imposed upon the articles that constitute their raw material. This Tariff is

positively a poorer Protective Tariff than the one it has replaced. The old Tariff really conduced in a greater degree to the healthy development of the manufacturing industries of the country than the present one does. Will the hon. the Finance Minister claim that in this scientific policy of which we have heard so much he affords protection to the labourer—the labourer whose wages have been reduced who will receive no increased pay, but diminished pay, and who had to pay more for the necessaries of life? Will the hon. gentleman claim, and will he assert to this House, that this scientific policy affords Protection to the lumberman in prosecuting the greatest manufacturing industries of the Dominion? No. It affords him no protection, but adds largely to his cost of production. Will he claim that this scientific policy affords Protection to the fisherman, that great class in the Maritime Provinces, whose labours add so enormously to the wealth of this Dominion? No. In no way does it benefit the fishermen. It injures them very seriously—no more unjustly than other classes—but it works detrimentally to them. Will he claim that this scientific policy promotes the shipping interests of this country? Will he tell us that that great branch of industry, ship-building, has increased? What do the returns show? In 1877, they show 46,329 tons built, valued at \$1,576,244; in 1878, they show 35,200 tons built, valued at \$1,236,145, and they show in 1879—when the shadow of this National Policy had begun to creep over the land—19,318 tons built, valued at \$529,824. Does this scientific policy afford Protection to the farmer? Will the hon. gentleman have the hardihood to venture to assert that it affords Protection to the farmer? I think he hardly will. I think I will demonstrate so clearly that the hon. gentleman will be unable to deny that the farmer is one of the greatest sufferers by the enactment of this policy. He is to have a home market, the hon. member for Cardwell says. He is to have enormous advantages flowing to him from this Tariff. Well, Sir, what progress has been made up to this time in the creation of a home market that is to absorb the surplus productions of the farmers of Canada? Does the hon. the Minister of Finance expect that he will be able to

develop the manufacturing industries of the Dominion, to increase the population of Canada, to improve the agricultural interests of Canada, by such a policy as this, the results of which we have seen during the twelve months it has been in operation. I will take the last six months of 1878, and the last six months of 1879, and we will see how rapidly we are approaching that point where the population will consume the surplus productions of the farmer. In 1878, our exports of produce the growth, of Canada, amounted to \$12,689,015. Now, there would be naturally a falling off in 1879, when the creation of a home market should have begun to operate. Let us see how great a diminution there was. In the last six months of 1879 there was exported of produce the growth of Canada, \$14,801,000, against \$12,619,015 exported in the corresponding six months of the preceding year. The total exportation of produce for 1878 amounted to \$17,866,000, while the total exportation of 1879—under the National Policy, when we were supposed to be progressing to that state of things when we shall consume our own productions—the total exportation then was \$22,668,000, against \$17,866,000 in 1878.

SIR SAMUEL L. TILLEY: That is a very conclusive argument.

MR. CHARLTON: We are rapidly approaching the realisation of our dream; we are rapidly approaching the point of perfection when we shall be quite independent of the rest of the world, when we shall live under our own vine and fig tree when Canada shall indeed be Canada for Canadians; and when we shall consume all the surplus produce we raise. To what extent have we progressed towards that vast increase of population? All the new industries that have sprung up—and not all due to the new policy—do not add ten thousand souls to our manufacturing population, and to overbalance this, it is estimated 100,000 souls have drifted away from us; the bone and sinew of the land, our young men, are leaving our shores; and the result, if this estimate if correct, is that we have 90,000 less to-day than twelve months ago. Now, I think I alluded to a fact last year that I will allude to again, and it will bear alluding to, again and again. I said, and I say now, that the humbug and the

delusive promises, that will not bear investigation, do not originate with the hon. gentlemen opposite. They have been borrowed from another country where they have made use of for years. These promises have induced the American people to submit to taxation for the purpose of creating a home market, and that policy has been carried out to its utmost extent. Protection cannot be carried further, and cannot be more perfect than it is in the United States. But did that policy produce the results promised by its promoters? Have the people who have submitted to it, in order that the country might be ultimately benefitted by the creation of a home market, realised any of the promised benefits? No, Sir, the promises were false, one and all. There was not a modicum of truth in them. The exports of produce have swelled year by year, and were never greater than they were last year. After twenty years of the most efficient Protection, the country exported the largest agricultural surplus that it ever had. The promises made to the people were false, but no more false than the promises hon. gentlemen opposite made to the people of Canada. If any man would stop to examine this question, and make figures as a business man would do in calculating whether he should engage in a business enterprise or not, the fallacy would become at once apparent. We do not import goods enough, that, were they manufactured here, would employ 75,000 souls. The assertion of the hon. gentleman opposite in that regard is as foundationless as the baseless fabric of a dream. If we go back to the history of the United States for thirty years we will find that exactly the same arguments were used in reference to this policy. Now, has there been any agricultural Protection in the United States? Has there been any duty on barely, corn and wool, not combining wool exclusively, but all kinds of wool? Such duties were levied for the purpose of making the farmer believe that he was being protected. We are bound to have agricultural surplus, except in exceptional years, and I think it must be generally recognised that agricultural Protection is delusive. That the surplus must govern the price may be set down as axiomatic. I propose to give some figures which will give at a glance an idea of the extent of the surplus

productions in 1879. In that year we exported 5,393,212 bushels of barley; we imported 43,233 bushels. Will the hon. the Finance Minister tell the House that the duty on barley had any effect whatever on the prices in this country. We would like to know whether this is humbug, or whether there is anything in it. Well, let us see whether the duty on beans had any effect on that which was exported. We exported last year 59,175 bushels, and imported 7,187 bushels, leaving a surplus of 51,992 bushels. With regard to oats, we exported 3,535,758 bushels last year, reducing oatmeal to bushels at the rate of ten to the barrel, and imported 2,125,319 bushels. Will the hon. the Finance Minister, in view of this fact, assert that the duty on oats had any effect on the price that year. Last year we exported 12,381,146 bushels of wheat, reducing flour to wheat at the rate of  $4\frac{1}{2}$  bushels to the barrel, and we imported 6,176,432 bushels. The surplus exported, reducing wheat to flour at the rate of  $4\frac{1}{2}$  bushels to the barrel, was 6,204,714 bushels. Will the hon. Minister inform us whether the duty on wheat had any effect on the price in Canada. In 1879, we exported 641,694 bushels of rye, and we imported 74,248 bushels. Did the Tariff have any effect on the price of rye? We cannot get a response for the hon. the Minister of Finance. We exported 2,715,252 bushels of peas, and we imported 2,343 bushels. How was it in regard to the duty on peas? We have had twelve months' experience of this Tariff. The American people have had twenty years' experience of theirs, and each year they have found the same unsatisfactory results that we have experienced of late. They never found that the duty on grains, of which they had a surplus, added 1c. to the price; neither will the deluded friends of the hon. gentlemen opposite. In 1879, we imported 8,614,116 bushels of corn, and exported 5,434,759 bushels, consequently, 3,179,357 bushels of the Indian corn imported that year was consumed in the country. This being the only grain of which we imported more than we exported, it was the only grain in the entire list of cereals which was affected in price by a duty. Of course there has been an increase in the price of wheat during the past year. Prices were constantly fluctu-

ating in the markets of the world; but while there had been an actual increase in price of wheat in this country, it could not be shown that there had been a relative increase as compared with the price in the United States. The increase in price is due solely to the fact that the short harvests in Europe have created an unusual demand; but, with the exception of wheat, there is little, if any, advance in the price of cereals. I would like to ask the question again, whether Protection has made Canadian produce higher than American produce by the amount of the duty? There is no response. I made the assertion that it had not on the hustings. Many believed that it would, and I want the hon. Minister to reiterate the statement to-night that the produce of the farmer has advanced proportionately to the duty. This assertion was probably made in the belief that the intelligence of the people was so low that they would believe it. I propose to show that the policy of the hon. Minister, in imposing a duty on grain, has borne no fruit whatever, except in the case of Indian corn. I propose to show, by a series of quotations, that grain has been relatively lower in Canada since the adoption of this policy than it was before. I will take my figures from the *Toronto Mail*, so that my hon. friends opposite will not complain about the authority. Before looking up these market quotations, given for the purpose of comparison of prices before and after the inauguration of the National Policy, I selected the dates and determined to take for the period before the adoption of the National Policy the market quotations of September 17th, 1878, November 16th, 1878, and December 31st, 1878; and for the period following the adoption of the National Policy the quotations of June 30th, 1879, the end of the fiscal year, and December 31st, 1879, the end of the current year. I have made comparisons between Toronto and Detroit in fall wheat, as the quality of that grain in the two markets are quite similar, and the cost of transportation to the seaboard is only a trifle higher from Detroit. On September 17th, 1878, the best grade of fall wheat was quoted at 101 in Toronto and at 104 5-8 in Detroit, or 3 5-8c. higher in Detroit than in Toronto.

MR. MCCALLUM: What was the

MR. CHARLTON.

price of wheat in New York at that time?

MR. CHARLTON: I am talking about the Detroit market. Winter wheat was worth 3½c. more a bushel in Detroit than in Toronto. The two places are selected for purpose of comparison, because of similarity in situation and quality of fall wheat sold in each. On the 16th November, 1878, the best quality of fall wheat was quoted in Toronto at 93c., and in Detroit at 96¼c., 3½c. higher than in Toronto. Does the hon. the Finance Minister think there was any great necessity for duties then to keep this American wheat out of the Canadian market?

SIR SAMUEL L. TILLEY: The balance was really in favour of Canada; the quotations in the *Globe* are wrong.

MR. CHARLTON: I have taken them from the *Mail*, thinking, perhaps, some hon. gentlemen opposite will take their market quotations, the same as their politics, and say that they are correct or not, according to the paper in which they appear. Well, on the 31st December, 1878, the best grade of fall wheat stood in Toronto at 93c., and the same grade in Detroit, 96c. Was there still a necessity for the imposition of a duty to keep this higher priced American wheat from depressing the price of wheat in the Canadian market? These are the three periods in 1878, before and after the elections, and now we will take the two periods in 1879, after the imposition of the National Policy. Again, on the 30th June, 1879, the best quality of fall wheat was \$1.01 in Toronto and \$1.10 in Detroit, or 9c. higher in Detroit, although there was a duty of 15c. per bushel to keep this low-priced American wheat out of the Canadian market. On the 31st December the best grade of fall wheat was \$1.22 in Toronto, and \$1.27 in Detroit, 5½c. higher in Detroit. Could anything demonstrate more perfectly the utter absurdity of the claim that the duties were necessary to keep the American wheat from depressing the prices of Canadian in its own markets? Now, I will make the comparison between Chicago and Toronto in the prices of No. 2 spring wheat, which is the standard grade in the Chicago market. On the 17th September, 1878, No. 2 spring wheat was in Toronto 97c.

and in Chicago 88 $\frac{3}{4}$ c. or 8 $\frac{1}{2}$ c. higher in Toronto, or about the price of the freight to Toronto. On November 16th, 1878, it was 83c. in Toronto and 80 $\frac{1}{4}$ c. in Chicago or 2 $\frac{3}{4}$ c. higher in Toronto, much less than the cost of the freight between those cities, which made it relatively 5c. higher in Chicago than in Toronto. On December 31st, No. 2 spring wheat was worth 81c. in Toronto and 82 $\frac{1}{4}$  in Chicago; this was before the inauguration of the National Policy. Now, take the quotations of spring wheat on the 30th June and 31st December, after the National Policy was adopted: No. 2 spring, in Toronto, free on board, on 30th June, 1879, was 97c.; in Chicago it was \$1.07 in Chicago, or 10c. higher, when we had a duty of 15 per cent. to exclude it from our higher market; and on the 31st December, spring wheat, free on board, at Toronto, was \$1.30, while in warehouse, in Chicago, it was worth \$1.31. These quotations of wheat prove, conclusively, that so far from our duty having any effect on the price of wheat, it had none whatever, because the quotations, taken at random, show the price of wheat was relatively higher in the United States than in Canada, even under its National Policy. Let us now take oats, and in making the comparison between the quotations in Toronto and Chicago, I wish it to be borne in mind there is a difference of 2lb. in the standard measure, it being in Canada 34lb. and in Illinois 32lb. For the comparison I have made the Illinois equal to the Canadian bushel. On the 17th September, 1878, oats were worth in Toronto 30c., and in Chicago 20 $\frac{7}{8}$ c.; on the 16th November, 1878, 32c. in Toronto and 21 $\frac{1}{2}$ c. in Chicago, or 10 $\frac{1}{2}$ c. higher in Toronto; on the 31st December, 1878, 31c. in Toronto and 21c. in Chicago. These three quotations were made before the Canadian duty was imposed to exclude those cheap oats from the Canadian market. Now, take the quotations on the 30th June and 31st December, after the adoption of the National Policy. On the 30th June, 1879, oats were 38c. in Toronto and 34 $\frac{3}{8}$ c. in Chicago, or about 3 $\frac{7}{8}$ c. in Chicago, or less than one-half the freight between the two points. On the 31st December, 36c. in Toronto was the price, and 38c. in Chicago, or 2c. higher, and this, while

we had 10c. a bushel duty on American oats, to exclude them from the Canadian market. Could anything demonstrate more completely the fallacy of the assertion that these duties can have any effect upon the prices of grain than those quotations? Do they not prove clearly that all the assertions and theories of hon. gentlemen opposite with reference to the effect of such duties, or agricultural Protection, were merely fallacious, if not worthy of a harder name? I propose to consider the case of barley, and I am sorry the hon. First Minister is not in his seat, as I think he promised the duty on barley should raise its price. On 17th September, 1878, the best grade of barley was worth \$1.05 in Toronto and \$1.25 in Oswego; on 16th November, 95c. in Toronto and \$1.25 in Oswego, and on 31st December, 1878, 90c. in Toronto and \$1.20 in Oswego. There was then no necessity for a duty to keep that \$1.20 barley from being brought over to Toronto, to sell it there at 90c. These were the quotations under the Free-trade in grain. Take the two quotations under the National Policy, and see if the result is materially different, with the duty of 15c. a bushel. On 30th June, 1879, the best grade of barley was worth 60c. in Toronto and 80c. in Oswego, and on the 31st December, 73c. in Toronto and 91c. in Oswego. Well, there was no danger of that 91c. barley being brought to Toronto to sell at 73c. The duty had no effect on the price, and the hon. the Finance Minister knows it well. Let us look at rye. It is an article that the hon. the Finance Minister has little interest in, and less in the product. On the 17th September, 1878, it was 56c. in Toronto and 45c. in Chicago, or 11c. less in Chicago; on the 16th November, 1878, it was 52c. in Toronto and 45c. in Chicago, or 7c. less in Chicago. On the 31st December, it was 50c. in Toronto and 44c. in Chicago, or 6c. less. These are our quotations under Free-trade. Let us see what effect the duty had. On the 30th June, 1879, rye was worth 50c. in Toronto and 53 $\frac{1}{2}$ c. in Chicago, notwithstanding the National Policy; on the 31st December, 76c. in Toronto and 81c. in Chicago. With reference to cheese there has been no change in the Tariff. It was claimed when our friends opposite were inaugurating the National Policy

as a new thing, this duty on cheese. It had really had so little effect, though it stood for years before on the Statute-book, that the great mass of the people were ignorant of its existence. On 17th September, 1878, the highest quotation in Montreal was 8½c. per pound, and the same in New York; on 16th November, in Montreal, 8½c., in New York, 8c., highest; on December 31st, 1878, highest quotation 8¾c. in Montreal and 9c. in New York. This was before the National Policy. Now, afterwards, on 30th June, 1879, cheese in Montreal was worth 6c. and 6¾c. in New York; on 31st December, 13½c. in Montreal and 13c. in New York. This clearly shows the price of cheese is regulated by the common market that takes the supply of Montreal and New York. The highest quotation of butter in Montreal, September 17th, 1878, was 17c., and in New York 25c. per pound, the highest in Montreal, November 18th, 1878, 17c., and in New York 27c.; the highest on December 31st, 1878, in Montreal, was 18c., and in New York 30c.; on the 30th June, 1879, in Montreal, 15½c., and in New York 15½c. In New York the highest quotation on the 31st December, 1879, was 37c., and in Montreal 28c. There was no necessity for a duty on American butter, because it was not likely to come from a higher to a lower market. So in relation to the whole list of duties on agricultural commodities: a more fallacious, more palpable humbug, never was palmed off on any people than this Tariff, on which the reputation of its author, the hon. the Finance Minister, stands or falls.

MR. WHITE (East Hastings): How then has the Government increased the cost of living to the poor if there is no rise in prices? You said a few minutes ago we had taxed the poor man so much more.

MR. CHARLTON: The poor man's interest is affected in this way: he has been induced to consent to being further taxed on various articles, such as sugar, cotton goods, woollen goods, coal, etc.; to get his consent to these taxes he has been induced to believe that in the case of the farmer, produce should be higher, and in the case of the labourer, wages should be higher, promises which I have shown have not been redeemed. In the line of agricultural Protection, the hon. the Finance Minister proposes to add to

his laurels. Not content with informing the people that they were to benefit by his duties on grain, of which this country constantly has a surplus to export, he proposes to grant an additional boon to the farmers, a duty of 13c. per pound on a class of wool we never import a pound of, and of which we have an enormous surplus, yearly, to export. This is adding insult to injury. The hon gentleman must entertain a very low opinion of the intelligence of the farmers, if he supposes they will be taken by that sort of chaff. I would rather rest my expectation of being considered wise upon the proposition of a duty on whistles made of pig's tails; the absurdity would not be more palpable in the one case than in the other. The truth is this, agricultural Protection is a cruel deceit practised on the farmers, which answered its purpose for a time, but which they understand perfectly well to-day, and that fact the hon. the Finance Minister will understand when they come to pronounce their opinion on the promises made them. When he learns the decision of the people, I venture to predict he and those associated with him upon the Treasury Benches, will find the best expression of their feelings in the language of Bigelow:

“ Things look blacker 'n thunder there's no use denying,  
We're clean clean out o' money and most out o' lyin',  
Two things a young nation can't manage without  
If she wants to look well at her first coming out;  
For the first supplies physical strength, while the second  
Gives a moral advantage that's hard to be reckoned.”

What are the only circumstances under which a duty would raise the prices of products in this country? If this country had to import for its own use, its own productions being insufficient to supply the demand, under such circumstances only would duty affect prices. If wheat had to be imported, for example, the farmers here would reap the benefit of the duty. But was there not some time ago a motion brought up in this House, setting forth the fact that under such circumstances it would be a case of extreme hardship for the consumers of Canada to pay more for their wheat than they otherwise might, and did not the First Minister promise that under such circumstances the duty would not be ex-

acted. Thus, as to the circumstances under which the farmers could derive a single advantage from the duty on wheat, we have the pledge of the Government not to consent to their receiving that advantage. Is there any hon. gentleman on the opposite side able to deny this statement? Can the hon. the Finance Minister deny it? I wish now to call his attention to some other points with respect to which I am really a little in the dark. I understand he is going next year to hunt up that "hum" in the agricultural regions which he found last fall with the manufacturers. I come now to the consideration of Indian corn. As I have always predicted this duty on corn has had some effect; while largely diminishing the quantity entered for consumption, it has increased its price to those who have had to use it.

MR. PLUMB: It is imported, among other things, for the purpose of making whiskey.

MR. CHARLTON: I do not know so much about whiskey as my hon. friend from Niagara, perhaps. I find the importation of Indian corn, for the six months ending the 31st December, 1878, was 5,472,000 bushels; for the ten and a-half months expiring on the 1st of February last, under the National Policy, 5,398,994 or 73,006 bushels less than for the last six months of 1878 under Free-trade. The importations for export, for the six months ending 31st December, 1878, were 4,059,000 bushels, and for the ten and a-half months ending 1st February, 1880, 4,411,356, or an excess of only 351,941 bushels. Thus the percentage of excess for ten and a-half months over the six months export, under Free-trade, was only about eight and a-half per cent. I find that in respect to the exports, by making a calculation for the ten and a-half months ending February 1st, and continued upon a scale equal to that for the six months ending 31st December, 1878, they would have amounted to 7,103,638 bushels, the actual amount being 4,411,366 bushels. We are justified in arriving at the conclusion that the export trade in corn was diminished during that time by the amount of 2,692,000 bushels. Now, this diminution in the export trade, represents a serious loss to the forwarding and other commercial interests of the country.

As I learn from the trade and navigation returns, the difference between the cost of corn imported, and the price received for corn exported in 1878, was 9 $\frac{3}{4}$ ¢, and upon that basis, I arrive at the conclusion that the loss to the forwarding interests of the country through the diminution of the export trade, consequent upon the adoption of the National Policy, was \$255,768 for ten and a-half months. Then I find that there was entered for consumption in the six months ending 31st December, 1878, 1,412,578 bushels, and during the six months ending December 31st, 1879, 548,973 bushels, or a diminution of 863,602 bushels, entered for consumption during the six months ending with 1879, as compared with the six months ending with 1878, a falling off of 61 per cent. in corn entered for consumption. I find that there was entered for consumption between March 15th, 1879, and February 1st, 1880, ten and one-half months, 987,628 bushels, showing that the amount imported for consumption in the ten and one-half months ending February 1st, 1880, was less than the amount imported during the six months ending December 31st, 1878, by 434,947 bushels, being a percentage of 31 per cent. less. The amount that would have been entered for consumption in the ten and one-half months ending the 1st February, 1879, if it had bore the same proportion to the volume of the business in the last six months of 1878, would have been 2,472,004, the amount actually entered for consumption being 987,628 bushels. There was consequently a diminution in the amount entered for consumption compared with what would have been entered, if a duty had not been imposed, of 1,484,376 bushels. Now, it was claimed by the hon. member for Cardwell that the shutting out of this large amount of corn would be a benefit to the farmers of Canada. I hold, to the contrary, that the exclusion of these 1,484,376 bushels of grain for consumption during these ten and one-half months was a great loss to the farmers of Canada, and I think I can demonstrate that such is the case.

MR. ROCHESTER: I would ask the hon. gentleman to give the House the benefit of his knowledge of what the price of rye was in 1878 and 1879.



MR. CHARLTON: I have done that already, and if the hon. gentleman wants that information, and will read the reports to-morrow, he will get it. I do not care to traverse the ground I have been over already. When interrupted, I had just made the assertion, and I now repeat it, that the exclusion from Canada of 1,484,376 bushels of corn, which, but for the duty, would have been entered for consumption in the last ten and a-half months, which amount I arrived at by comparing it with the volume of business of the last six months of 1878, was a serious loss to the farmers of Canada. I propose to demonstrate that assertion. The duty paid upon the 987,628 bushels imported for consumption in the last ten and a-half months of that year was \$74,076.34.

SIR SAMUEL L. TILLEY: Nearly a year's supply was imported in the months of January and February.

MR. CHARLTON: I am making a comparison between the last six months of 1878 and the ten and a-half months commencing on the 15th of March, 1879, and ending on the 1st of February of the present year. As I was about to say, the average price of corn, free of duty, laid down at Toronto, may be estimated at 45c., by the returns of 1878, when no duty was levied. Upon that basis I propose to make a comparison between the feeding value of corn and of other grain at current rates. To this calculation I ask the careful attention of the hon. the Finance Minister, because upon this calculation my whole case rests, when I assert that the exclusion of that large amount of corn, which otherwise would have brought into Canada for feeding purposes, was a disaster to the farming community of Canada. Now, Sir, 34lb. of oats are worth 39c. a bushel at the present in Toronto, and at that rate 56lb. of oats are worth 64c. Now, I assume that 56lb. of corn are worth just as much for feeding purposes as 56lb. of oats; it is said to be more, but I assume it is worth as much. If 56lb. of corn can be bought free or duty for 43c., and the farmer can buy that corn and sell 56lb. of oats for 64c., do you not injure that farmer if you prevent him from doing it, because he makes in such case 21c. upon every bushel of corn? Let the hon. the Finance Minister con-

trovert that, assuming the quotations I give are correct. If we take barley at 70c. a bushel for 48lb., 56lb. is worth 81c. Now, 56lb. of corn is worth just as much for feeding purposes as 56lb. of barley. If 56lb. of corn is bought at 43c. a bushel, and the farmer sells in place of it 56lb. of barley at 81c., how much is he making in the transaction? Will some of you figure that out. He is making about 38c. from the 56lb. of barley he sold. Would you blame that farmer for buying American corn at 43c. and selling an equivalent amount of barley at 81c. If we take 60lb. of rye at 80c. a bushel, 56lb. of rye would be worth 74½c. Now, if a farmer buys 56lb. of corn, worth just as much for feeding purposes as 56lb. of rye, he gets 56lb. of corn for 43c., and he sells 56lb. of rye for 74½c., consequently he makes in the operation 31½c. upon every 56lb. of rye he sells and buys corn to replace. If he takes 56lb. of peas, worth at present quotations 68c., 56lb. are worth 62½c. If he buys a bushel of corn at 43c. and sells 56lb. of peas at 62½c., he makes 20½c. in the transaction. Do you see the point? If the prices of these grains vary from the quotations given, of course the result will vary somewhat. But the hon. the Finance Minister has inflicted a great injury on the farmers of Canada by imposing this restriction on a profitable business, and preventing them from selling coarse grains for a relatively higher price, and replace them by American corn at a much lower price. The result of this scientific and beneficent National Policy in ten and a-half months, ending 1st February, was the exclusion of 1,484,000 bushels of corn, at a loss to the country of \$311,715. What then is the nett result of this National Policy, so far as relates to the importation of American corn. The forwarding interest, as I have shown, has lost \$255,768 in commission and freight upon the diminished quantity of corn exported. The duty paid upon what has been imported for consumption is \$74,076, the difference between the price of what we can assume has been shut out by the duty, and the price that would have been received for the coarse grain, which this corn if imported, would have enabled the Canadian farmer to sell is, as I have shown, \$311,718, and the net result for the ten

MR. CHARLTON.

and a half months is a loss to the country of \$641,562. That is a brilliant result to be accomplished. Will the hon. gentleman acknowledge the corn? He does not do it. He is non-committal. Has anyone been benefitted by this corn duty? I represent one of the ridings in the corn belt of Canada, and it is for that reason, perhaps, that I have given particular attention to this corn question. There are a few counties along the north shore of Lake Erie where corn can be raised successfully. The county of Norfolk is one. Has the duty of 7½c. on corn benefitted my constituents or any of the constituencies along the north shore of Lake Erie? I answer most emphatically it has not. In the first place it has not increased the production of corn. It has practically afforded no additional inducements for producing corn. The duty of 7½c. amounts to very little more than the difference between local and through rates of freight. Another reason why we would derive little or no benefit from the duty on corn is that the farmer in the corn belt who raises corn is exactly in the same position as the farmers who do not raise corn. It pays him to feed his corn and sell the higher priced coarse grains. It is estimated that in my county, where there is a population of 36,000, there is a surplus of corn, year by year, of 10,000 bushels sold. Admitting the county of Norfolk, with its surplus of 10,000 bushels was benefitted to the extent of \$750, the amount of the duty on that surplus, what do my constituents pay for that trifling benefit. Did they pay more for their sugar, more for their cotton goods, more for their woollen goods, more for almost everything they need to buy, in order to get the beggarly advantage, it such advantage there be, of \$750 for the whole county. So much for the corn question. Now, I wish to refer, Sir, to a certain Order in Council, which illustrates the way in which deception is practised upon the farmer. I am sorry my hon. friend the Minister of Customs is not in. I think when you go carefully into the consideration of the matters connected with this National Policy, it affords one of the richest mines in a certain direction I have ever met with. During the six months ending 30th June, 1870, the aggregate importation of wheat was 559,968 bushels. In the following six

months there was a wonderful increase in the amount of wheat imported. While the importation of wheat during the first six months of the year was 559,968 bushels, it increased during the next six months to 6,515,000 bushels. A very remarkable increase. I hold in my hand an Order in Council, passed on 10th July, 1879, which will explain to a certain extent why this increased importation occurred. That Order in Council will demonstrate pretty conclusively the insincerity of my hon. friends opposite, who led the farmers to believe that they were levying a *bona fide* duty in good faith. I will commence with the first clause of the Order in Council. It is as follows:

"1. The Collector of Customs at any port of entry shall receive entries of foreign wheat, maize, or other grain, to be ground and packed in bond for exportation or consumption, and said collector shall deliver or cause to be delivered such wheat, maize, or other grain, to be forwarded on to the port of destination where may be situated the mill or mills at which the said wheat, maize, or other grain is to be ground and packed in bond as by him permitted.

"2. The wheat, maize, or other grain shall be so forwarded under bonds to be taken, either by the collector at the port of entry or the collector at the port of destination as may best suit the convenience of the importer, which bonds shall be taken for an amount that will cover the duties chargeable upon the said wheat, maize, or other grains, and be conditioned for the due payment of such duties should such wheat, maize, or other grain go into consumption, or for the due exportation of such wheat, maize, or other grain, or the equivalent thereof in flour and meal, and a proof of the payment of such duties or of due exportation as aforesaid within the year from the date the said bond or bonds, the said bonds shall be duly cancelled, etc."

"Equivalent thereof;" why does it not say "the product thereof?" What does that mean? Will the hon. the Finance Minister not tell us whether there is not a catch there? No answer. I never saw so non-committal a Minister of Finance. I assert that there is a fraud in this thing. I assert that this Order in Council was passed in the interest and at the dictation of certain large millers, and that it was designed for the purpose of allowing these men to import wheat at pleasure, hold it for twelve months, and then export its equivalent. The hon. the Finance Minister will not venture to deny that millers can import wheat under the Order in Council, sell it at pleasure in Canada, and then export the amount equivalent to amount

imported ground from any wheat whatever. The amount of duty paid on this 6,500,000 bushels of wheat was \$964,93, and but for that my hon. friend would have had to face a much larger deficit. I propose now to pass on to the statistics of grain importations for the ten and a-half months, ending 1st February. In these ten and a-half months we imported 7,151,462 bushels of wheat; entered for home consumption, 7,951; duty paid, \$1,187.83, which amounts to exactly 16c. and 6 mills on every 1,000 bushels. What a magnificent source of revenue. What a protection to the farmer. We imported during that period 214,102 bushels of oats; entered for home consumption, 80,518; duty collected, \$8,051.88, or an average of  $3\frac{3}{4}$ c. per bushel. The amount of corn imported during the same period was \$5,398,994; entered for home consumption, 987,628; duty collected, \$74,076.34, or an average duty of  $1\frac{18}{100}$ c. per bushel. The total number of bushels of corn, barley, peas, oats and wheat imported during that period was 12,776,730; value of American grain imported \$10,112,442; total amount of duty collected, \$84,745.91; average duty per bushel,  $\frac{68}{100}$  of one cent. This shows that the importation of grain has not ceased. It shows that the duty on grain is a absurd one. It shows that the surplus products of the country still govern the price and are doing so now under the National Policy as they did when there was Free-trade in grain. I think I have demonstrated that this Government has given an advantage to millers under this Order in Council. I challenge hon. gentlemen to deny the truth of this. In this connection I may mention the case of a small mill, which came under my own notice in western Ontario, where nothing but white wheat is produced. The owner desired to procure some spring wheat to mix with the white wheat, but this Order in Council was not framed for him; he was not a large miller; he could not import his spring wheat without paying duty; but a large miller, grinding thousands of bushels, could import his wheat by giving his bonds, and he could grind his wheat or maize and export anything not product of that wheat or maize, and sell in the markets of Canada; and if he at any time within

twelve months exported an equivalent amount in flour or meal, his bonds were cancelled. The same is true of large oat-meal millers. Is not this encouraging a monopoly? And is not this a monopoly involving an expense to the many for the benefit of a few. I shall not detain the House much longer. I thank the House for the attention that I have had given to me. I know that I have been somewhat tedious; but I do not trouble the House very often with speeches, and I ask its indulgence to the conclusion of my remarks. I may say that the Reform party is not opposed to the development of manufactures in Canada, but that they are friendly to such a development; and that they are anxious by any legal, just, honest method, to encourage such manufactures. We are not in favour of benefitting one class at the expense of others; that is unjust, but we are in favour of such a development of manufactures as can be reached by honest measures. It affords us unbounded satisfaction to see them prosperous; and I claim that that Tariff which was in force when the gentlemen who now occupy the Treasury Benches came into power was a just Tariff, and one as well calculated to promote the interests of manufacturing industries as the one now in force. Under that old Tariff the growth would have been more healthy and more enduring and substantial, than that mushroom growth produced by the new Tariff. Were our manufacturing industries languishing? Did not our domestic manufactures amount to \$211,000,000 in the year 1871, when the last census was taken? When the present Tariff was enacted, Canada was manufacturing at the rate of \$275,000,000 annually, though it was a period of great depression throughout the world. The fact is they were developed, they were in a healthier condition than in the United States, and for that matter, than in almost any other country; and if this was the case, there was no excuse even in the interest of the manufacturing industries to introduce such a policy. I think I could show—I will show—by the movement of the export trade in domestic manufacture that our manufacturing industries are in a less healthy condition than three years ago. In 1877 this country exported \$4,105,000 of domestic manufactures under the  $17\frac{1}{2}$  per cent. revenue Tariff.

This has fallen in 1879 to \$2,700,000, and for the six months ending December 31st, 1879, to \$1,495,000. What does that indicate? Does it not indicate that our manufactures are in a less healthy condition now than before, and that the new policy is not working favourably as the hon. gentleman asserts even for the manufacturers themselves. I want to show—and I will show—that the exportation of Manufactures for the last two years under the *regime* of the late Government, was larger from Canada than from the United States, in proportion to population. The American statistics of exports of manufactures include lumber, staves, heading, and refined petroleum; very properly so, as these articles are clearly entitled to be classed as manufactures. If we adopt this rule of classification in making a comparison of the export of domestic manufactures from the two countries, the following will be the result, which will show that our exports of manufactures are relatively much larger than those of the United States, and that they are declining very rapidly under the National Policy. Under this rule of classification, the export of domestic manufactures from the United States, in 1877, was \$144,482,400, from Canada, \$19,198,000; in 1878, from the United States, \$135,171,000, and from Canada, \$17,447,000; in 1879, from Canada, \$12,852,000; returns from United States not received. These figures show that the export of manufactures from Canada in 1877 and 1878 were much larger, in proportion to population, than from the United States, and is very far from indicating a languishing condition of our manufacturing industries at that time, and the great falling off for 1879 does not show an increase of prosperity under the National Policy. All these facts, I think, warrant me in saying that the manufacturing interests of Canada did not require a greater measure of Protection than they had. It was not, then, in the interest of the manufacturers, much less of those who had to pay increased prices for manufactures. I say the farmer, especially, was drawn in by delusive promises, which are all proved false in the first ten months the policy was in force, and the men who made these promises, if they are men of intelligence, knew they were false when they

were made. Do you doubt that we shall come to the same decision as Victoria, the only other British Colony that has adopted Protection? I have not the slightest doubt that the great masses of the people of Canada will spurn the dictation of the monopolists, who have succeeded in inducing the Government to frame a policy for their special benefit. I have no doubt that the policy accepted on the assurances of these gentlemen, accepted on their false promises—I have no doubt—and I assert it again—that it will be rejected by the people. I have no hesitation in saying that the people of this country will pronounce that this thing is a swindle, and when these gentlemen appear before the court of the people, to have their verdict passed upon their conduct during the period that they remain in power, the verdict of the people will be that they will no longer entrust to them their interests.

MR. PLUMB: I have been pleased with the eloquent address of my hon. friend from North Norfolk (Mr. Charlton). We all know the great skill with which he is able to present arguments based on figures; we all know the great skill with which he is able to present arguments on either side of a question which he chooses to adopt for the time being. We have heard him struggling with a mass of figures, which I do not think any man can attempt to follow, much less to follow the tortuous line of argument that he seemed to think they strengthened, and which I shall not attempt to answer *seriatim*. The gist of the hon. gentleman's speech is to prove that the policy which has been adopted by my hon. friend the Minister of Finance, which has been sanctioned by this House, which has been approved by the country, which has been brought about by the revolution which took place in 1878, is, to use his own language, a deception and a failure.

AN HON. MEMBER: No, no.

MR. PLUMB: Well, yes. He used more severe language than that; and it is strange that a gentleman, usually so courteous in his language, who usually weighs his words cautiously, and who, during all the debates for the many years I have been in the House in which he has taken part, has been noted for his guarded manner, should use such expressions as he has

used to-night. There must be something in the atmosphere surrounding him to tempt him to go beyond the course he has been accustomed to pursue in addressing this House. Before proceeding to reply to his arguments, I will, if the House will bear with me, read some remarks which may throw some more light upon the subject on which the hon. gentleman has addressed the House at such great length. I find that an hon. gentleman, who was at one time addressing the House upon the subject of Protection, and seemed to be its very earnest advocate, made use of the following language, which I will read to the House before proceeding to answer the arguments brought forward to-night :

“ We have been told that a Protective policy is one which could only be adopted by a patriarchal Government—a Government which could not only protect industries but also limit production. I hold that a Protective policy, on the contrary, runs through the whole legislative system of any country. To afford protection of life and property is the duty of the Government, and armies are raised and navies built to protect the nation. Prisons are erected for the protection of the public, and free grants given for the purpose of increasing the public wealth and adding to the population.

“ It may be safely assumed that no nation has attained to greatness in commerce or manufactures without having, in the course of its history imposed exactions and restrictions. This has been notably the case with Great Britain herself; and I think the assertion that the development of various industries is necessary to the cultivation of the self-defensive power of a nation is incontrovertible. We have had an illustration of it in the neighbouring nation. The Southern States were without manufacturing industries while the Northern States were filled with them, and the advantage this gave them resulted in the suppression of the rebellion.

“ No person will assert it is proper to protect industries that are not naturally adapted to the country, but when they are suited to the land it is the duty of the Government to foster them. Arts and manufactures do not spring up readily on a virgin soil. In the first place, trade has a tendency to remain in beaten tracks. Then the advantage is on the side of a nation in which manufactures are established, because money is always more easily obtained there than in a new country.

“ Then, again the possession of organised and skilled labour is an advantage that the manufacturers in a country where manufactures are established for a long time possess over a new country. But, although it may be conceded that Protection is to the advantage of manufactures, unless it can be shown that it is also an advantage to the other classes of the community and the nation at large, all arguments in favour of Protection fall to the ground.

MR. PLUMB.

It must be shown that the agriculturists are to be benefitted by Protection before it is incumbent upon the Government to adopt a Protective policy. I believe that the interests of the nation at large would be promoted by judicious Protection; I believe that the agricultural interests of the Dominion would be promoted by Protection, and that the manufacturer, being brought to the door of the farmer, would afford a market for a great many articles of produce that would not be saleable if the market were three thousand miles away. With a home market of this kind established by Protection to manufacturers, the agriculturist can benefit his soil by producing a rotation of crops. The purchasing power of money is not a correct measure of the purchasing power of labour. A farmer raises a bushel of corn, which he sells for 50c. in a foreign market, and with the proceeds he can buy three yards of cotton; but supposing the manufactures are brought to his door, and the better market which it creates increases the price to 60c. or 70c. per bushel, and although impost duties are levied on cottons from Manchester so as to add largely to its price, still he may be enabled to buy four yards of cotton with his bushel of corn instead of the three yards it was able to purchase before, as the purchasing power of his labour is increased.

“ We have at our own doors all the illustrations and experience of Protection and its benefit; required for our government and guidance. The United States have adopted a Protective policy under which their manufactures have been fostered and promoted, until, in 1870, their products reached the sum of \$4,253,000,000, giving employment to 2,000,000 operatives, and disbursing over \$775,500,000 in wages.

“ It has been charged that Protection has prevented the extension of foreign commerce in that country. That may be true; but it is estimated that the domestic commerce of the United States last year reached the enormous proportions of 200,000,000 tons, valued at \$10,000,000,000. What is the foreign commerce of that country compared with the vast domestic trade that goes on increasing without the fluctuations of risks of foreign trade? Look at the progress of the cotton trade in that country. Previous to the import duties on foreign cottons in 1824, British manufactures crushed out all efforts to establish factories in the Republic; but the imposition of 25 per cent. duty on foreign cottons had the effect, in a few years, not only of building up manufactures, but led to the production of an article better in quality and lower in price than the Americans received from British manufactures before their own industries were established. In 1860 the United States were exporters of cottons, exporting nearly 10 per cent. of the whole amount manufactured. The same way with the iron trade. All attempts to establish iron industries were crushed out by foreign competition, and high prices were maintained at intervals—higher, on the average, than the percentage necessary to produce them in the United States at a profit. But when a Protective duty was imposed, iron manufactures were established, and in a short time the price of iron was brought down several

dollars per ton, and it is now sold cheaper than the British iron ever was offered for on that market. The shipping interest of the United States was one of the most signal illustrations of the benefit of a Protection policy that could be produced. Under a Protective tariff the ship-building of the United States had grown, till in 1860 it was nearly as great as that of England, and there came two causes to ruin it. First, the war, which placed the United States shipping at a disadvantage with all other common carriers; and the second cause was the revulsion in the ship-building trade, caused by the substitution of iron for wooden vessels. Under these combined influences, the shipping trade fell into the depressed condition in which it now remains. Why is it that we are so desirous of selling to the United States articles of food? It is simply because they have by Protection built up manufacturing cities with a numerous population, that consumes not only the vast products of their own country, but also afford a better market for our products than we in the Dominion possess. The issue in Canada to-day is not an issue between Free-trade and Protection; the issue is, is the Protection now afforded adequate for the promotion of our industries?"

It may astonish gentlemen to know, but it is a fact, that these eloquent remarks were made by the hon. gentleman who has just resumed his seat, and that he made that Protection speech in 1876.

SIR SAMUEL L. TILLEY: No, no; it is impossible.

MR. PLUMB: It is a melancholy fact; and no less strange than true. Every word of that argument was then used by my hon. friend on the opposite side of the House, who has treated us to an eloquent discussion on the Free-trade doctrine, which he has imbibed from his friends on the front benches, under the inspiration of the grand old Reformer, who is a power behind the throne, and dictates the policy of the party he is leading to ruin. He stated that the farmers are not realising the advantages of a home market. Now, I do not think it was ever argued in this House that putting a duty on wheat would raise the price. It has always been conceded that the English market controlled the price, and we commend this contention, which we do not dispute, to the attention of our friends in the Maritime Provinces. There has been a time, however, and it may come again, when a duty on wheat would be a Protection to the agricultural interest. There is no doubt that a duty on corn has two objects. As corn enters very largely into the production of spirits,

it is right to put a special duty upon it. That was a point which used to be urged without reference to the Protective Tariff. That duty was not expected so much to affect the corn raised in this country as to increase the consumption of the articles that could be substituted for corn. The figures the hon. gentleman gave us on that point are untenable, exaggerated and misleading. He undertook to show us that a diminution in the imports of 1879, compared with 1878, of 1,484,396 bushels of corn had cost the country \$641,562, or 47c. a bushel. I do not acknowledge that corn. The hon. gentleman has never condescended to state what has taken the place of that quantity of corn? He has used extraordinary language for a gentleman who is usually so careful. He stated that we have swindled or hoodwinked the people by this nostrum of Protection. It is not the first time that I have heard hon. gentlemen opposite reflect upon the gullibility or stupidity of the people of the Dominion. I think the people had discrimination enough to hurl those hon. gentlemen from power after their five years' effort to ruin the country. I have watched this debate with a great deal of interest, and I know that not a remark has been made by hon. gentlemen opposite which has not been satisfactorily answered either on the floor of the House or in the press of the country. I liked the speech of the hon. leader of the Opposition. I have heard it so often that that I greet it as an old friend. The speech of the late Finance Minister was also familiar. The key note of both speeches was that the policy of the Government was plunging the country into ruin. We have had that repeated *ad nauseam* by every member of the Opposition who has spoken on the subject. The desperate struggles of hon. gentlemen opposite to prove that the country, which their policy did so much to injure, is utterly ruined, and their heroic and self-sacrificing, but hopeless efforts to obstruct and resist the movement which is bringing about the return of prosperity, reminds me of a story that I will venture to relate, the application of which will be obvious. Some time, about twenty-five years ago, certain enterprising English capitalists and contractors obtained concessions from the Spanish Government for the

construction of a system of railways in that romantic and mountainous country. The first line was built, if I remember correctly, from Madrid northward, towards the French frontier, through formidable passes; and a section of forty or fifty miles having been completed, it was determined to run the first train over it with appropriate celebration and ceremonies. Previously, as will be known to everyone conversant with the country, all the travel and traffic had been in the hands of the muleteers, very estimable men, of much earnestness and solemnity of character, but, from a life-long and most intimate association with the useful animals referred to the other day, sympathetically no doubt, by the late Minister of Finance in his speech against the policy of my hon. friend who had succeeded him in office, the muleteers have imbibed and assimilated to themselves the firmness, the temper and gravity of demeanour for which those animals are celebrated. The muleteers watched with much solicitude the progress of the line, and came to the conclusion that it would destroy their occupation, and that trains must not be permitted to run upon it, which would spoil their passenger traffic and empty their pack-saddles. They met in many an anxious consultation, and their head man, who might be called the Grand Old Muleteer—who had grown gray in the mule traffic, and had been buffeted by storm and tempest, until his long visage resembled that of the Knight of the Rueful Countenance, immortalised and pourtrayed by the pen of Cervantes—harangued them in excited language. "We cannot permit this intruder to interfere with us," he shouted; "it is progress in a direction that we do not believe in. Let us all turn out, mules, donkeys and all, range ourselves on the track on the opening day, and prevent the passage of a train." Well, Sir, they dressed themselves in their best velvet jackets and silver-buttoned trousers and crimson sashes and broad sombreros, and invited all their neighbours and friends to accompany them and see the glorious triumph of principle. They selected as the place of operations a difficult pass in the mountains, on a heavy upward grade, with ravines and precipices on each side of the track. The engine, decked with flags and wreaths, drawing a long train of

carriages filled with the chief personages in the Government and their friends, came rushing on, when the engineer discovered at some distance ahead, upon the track, an immovable mass, which, on a nearer approach, proved to be a concourse of six or seven hundred muleteers, mounted on their faithful animals, whose more than Roman firmness is sometimes stigmatised as obstinacy. Their tails were turned towards the approaching train, and the gaunt form of the chief could have been seen in characteristic position—a leader in the rear of his party—astride of the biggest mule, with the longest ears of the whole, and with feet thrust in the largest stirrups. In vain the signal was rung and the whistle screamed, the mules kept their position and the train came to a momentary pause. The engineer then, upon a brief consultation with the manager, backed down to a convenient spot, uncoupled his engine from the train, opened the throttle valve, and, at full speed, rushed upon the obstructionists. It was more than mules or riders had bargained for; there was a general stampede, and mule-meat was abundant in that vicinity for some time afterwards. The road was successfully opened for traffic, and trains have been running regularly ever since. This is an illustration of the obstacles presented to the National Policy by hon. gentlemen opposite. They are trying to stop the Government train, but I am afraid, if they persist, that mule-meat will be plentiful for the next few months. If I have overstated the case or overdrawn the simile, I apologise—to the mules. The hon. member for West Middlesex (Mr Ross) deludes himself with the idea that there has been a tremendous reaction since 1878. That hon. gentleman was elected by acclamation in 1874, when he had a number of influential persons to assist him, as an Inspector of Schools, under the pay of the Ontario Government, and a leader of the temperance agitation; but he got in by the skin of his teeth in 1878, when he was elected by the small majority of thirty-five, although he still had those aids.

MR. MILLS: How large was your majority?

MR. PLUMB: The hon. gentlemen have often insinuated that I was elected by a majority of two. The hon. leader of

the Opposition, I understand, inspired an Irish Catholic to run against me. No aspirant in the neighbourhood could be persuaded to undertake the task. Our opponents, it may be noticed, never nominated an Irish Catholic in Ontario where they had a chance to succeed. Mr. Hughes ran against me; he bought up all the loose fish in the constituency, and got a majority of two, and he has stated that he spent \$17,500, as I have heard, during the election. I contested the case and claimed the seat. He was unseated, disqualified, had to pay all costs, and he consented that enough of the votes that he had corruptly obtained should be stricken off from his list to give me a majority, whether it was greater or less made no difference. By claiming the seat I left it open for him to proceed against me for bribery, and convict me if I had been guilty, and he could proceed without depositing \$1,000, as I did, in the Court, or any other sum. It was open to him to keep me out if he could, and to disqualify me, as I disqualified him, if he could do so, and I knew that his counsel would press the case against me to the bitter end if he thought there was a chance of success. I warned my opponent before the polling day not to spend money. My own position was an impregnable one, or I would not, by claiming the seat, have given him the opportunity of proceeding against me. As it was, I unseated and disqualified him, and I obtained my seat, it mattered not whether by striking off four corrupt votes or forty; and I think it is unfair to the candidate they have slaughtered to throw the insinuation across the House that I was elected by a majority of two, and compel me to repeat the story of his very unsavory contest, a contest which, I think, he was forced into by the strong urgency of the late First Minister and a greater power. I do not think my friends opposite gain anything by reminding me of that election, whenever I speak of election matters. They are welcome to all the honour of the reminiscence, and so I shall be happy to repeat this little story whenever my hon. friend from Bothwell (Mr. Mills) refers to it, as he did just now. My hon. friend from South Brant (Mr. Paterson), addressing the House the other day, in those stentorian tones for

which he is famous, and which go over our heads like the boom of the bittern, reminded us that he was one of the latest converts to Free-trade, as he is now with new-born zeal one of the loudest-mouthed denunciators of the policy of the Government. He was not always the fierce opponent of Protection he is now. There is a sort of mesmeric influence in the great leader of his party, who led it to destruction, which the hon. gentleman cannot resist; it will keep the party where they are now if they continue to follow his lead. The hon. member for South Brant, in 1873, when my hon. friend the Finance Minister held the office he now holds, and made that Budget Speech which has been the subject of vain criticism of hon. gentlemen opposite, but which I believe is one of the clearest and most perfect summaries of the financial condition of this country ever presented, uttered an appeal to him *ad misericordiam*, which I find reported in the following words. I am not responsible for the grammatical beauties of the extract:

“Mr. PATERSON, (South Brant), expressed his astonishment at the hon. the Finance Minister having announced that no change would be made in the Tariff, and he hoped the Government would fulfil the pledges given by the Premier to introduce a Protective Tariff in the country.”

It is a little surprising—but those are his words. I have no doubt the hon. gentleman made his appeal with all the touching language and manner usual with him, and so familiar to those who stay to hear him when he addresses the House with that irresistible persuasiveness, with that wonderful logic which he is master of, and which may be described by a well-known quotation from Shakespeare: “Tales told by an idiot, full of sound and fury, signify nothing.” But he has, I know, a special grievance, as we heard the other night, that the Tariff has ruined the confectionery business. The hon. the Finance Minister has made bankrupt the dealers in sugar-sticks, in the particular vicinity of the hon. member for South Brant. I am sorry if it is so, because there are worthy, honest men in the trade. I do not believe it is so; but if it is so, there are a great many anxious mothers who will bless the hon. the Finance Minister for having lessened the number of infantile stomach aches and the demand



for soothing syrup. The hon. gentleman's touching reference to the ruin of a special industry is not unnatural. The exhibitor at a country fair, although he may conduct you to the stalls of the Durhams and the Duchesses, and to the horse-rings and the sheep-pens, will not fail at last to lead you to his own little litter of Berkshires, where they lie huddled beside their recumbent mother. There centres his interests; as for the rest he cares nothing. But we must come to the consideration of more serious matters. We have heard the constantly reiterated and constantly refuted statements from the late Finance Minister, pronounced in the dulcet and courteous sympathetic tones which he always employs when addressing his successor—we have heard, besides, many other hackneyed statements which have also been disproved time after time, but which crop up again, exactly as Anteus, when thrown to earth by Hercules, the bruiser, arose again with renewed vigour. It is no use to bring the late Finance Minister to grass; he rises and strikes out again with the blind and reckless ferocity always exhibited by him from the very first day we heard him as Finance Minister address the House in 1874. He has learned nothing, has forgotten nothing. He tells us again and again that the Conservatives increased the expenditure from \$13,700,000 in 1867 to \$23,316,316 in 1874—an increase of nearly \$10,000,000. Hon. gentlemen opposite are never weary of saying this. They roll the statement like a sweet morsel under the tongue on all occasions. The hon. member for Lambton has repeated it in almost every speech he has made on the hustings, and again he reiterates it in this discussion. I took the pains, last year, to analyse this increase, and stated then, as I can now, that not one of the items of increase was seriously objected to by hon. gentlemen opposite, when on that side, between 1867 and 1873. It is only an afterthought to call the Conservatives to account for this expenditure. It is childish to say that the expenditure of 1867, when this Dominion was in its infancy, was any criterion for the expenditure of 1873-4, when Prince Edward Island, Manitoba, and British Columbia had been added, and when developments necessary for the Dominion,

for the protection of the North-West, and expenditures growing out of the purchase of the North-West Territory from the Hudson Bay Company, with the interest on that outlay, had to be provided for, when the enlargement of the canals, erection of lighthouses, construction of harbours, building of the Intercolonial Railway, and other necessary things for the development and consolidation of this great Dominion, had to be provided for, and all this was done out of an overflowing exchequer and a constantly increasing surplus. When I see the expenditure incurred by the late Government upon a declining revenue, with yearly increasing deficits, I often wonder what they would have done, if unfortunately, one may say, they had had a surplus. They would soon have made an end to it, for they would have made it an excuse for squandering every dollar that entered the Treasury, instead of being able to state, as was the late Finance Minister when he went to borrow in England and showed the silver face of his shield, that the Government which preceded him had spent \$10,000,000 on works, properly chargeable to capital, out of income. Hon. gentlemen opposite, if they charge us with extravagance, can be told that they increased the expenditure beyond the most extravagant year of the Government which resigned in 1873—increased it, too, year by year, in face of the great commercial depression that overwhelmed the world, and notwithstanding that they starved certain Departments—for instance, the Militia, and Public Works and Buildings chargeable to income to the extent of over a million dollars in 1877 and 1878. When they quitted office they left the present Finance Minister an accumulation of deficits reaching \$6,000,000, with no possible provision for that exigency. They left it after doing what they could to damage the country's credit, and to anticipate unfavourably the efforts of the present Finance Minister to negotiate a loan to meet a debt of £1,500,000 in January, 1879, falling due, and for which the late Government ought to have made provision during the abundance and plethora of money in June and July, 1878. The late Finance Minister was then, however, engaged in making those harangues which have earned him the reputation of the

most reckless and slanderous speaker who ever faced a public assemblage in Canada. The present Minister of Finance went to England in December, 1878, at a time when the failure of the West of England Bank and the City of Glasgow Bank had paralysed the capitalists of the country, and had given a most damaging shock to credit and commerce; and when the charge of hon. gentlemen opposite, that the present Government was about to initiate legislation prejudicial to the interests of the country and disloyal to English interests, was ringing in everybody's ears, and he negotiated upon unguaranteed debentures the best loan ever placed by the Dominion in Great Britain, notwithstanding the efforts of hon. gentlemen opposite to disparage him and defeat his plans. Most unpatriotic efforts were made by them with this object, but in vain; the charge that he was attempting to sever the golden bond that connects us with the Mother Country fell harmless. I congratulate my hon. friend on the brilliant success of his loan. The present Finance Minister realised for that loan a higher price, in my judgment, by 6 or 7 per cent., than was realised by the hon. gentleman in his loan of 1876. I have examined his loan of 1876; made the deductions that were acknowledged to be correct and in accordance with the prospectus, and I do not believe I have got at the bottom price of it yet, for the hon. gentleman has never disputed my figures. I made out that he got less than 89, probably 88½, for that loan, making allowances for interest and instalments from the time he negotiated it, allowing instalments to run on until the following July. He has never taken exception to my statements; he has been glad to accept them, for fear I would make worse ones for him. When I asked him to allow Mr. Langton to give me the figures of that loan, I was never able to get anything but an evasive letter. We were told by the hon. member for Centre Huron, the other day, in his sneering way, that my hon. friend did really make a very fair operation. Of course, it was not anything like what he (Sir Richard) could have done; he, a heaven-born financier, who was discovered accidentally in 1873 to have acquired great financial skill, although the same paper that then eulogised him had denounced him

six months before as a mixer and muddler of figures, and supported a rival candidate at his election. That hon. gentleman did really condescend to say that the hon. the Finance Minister had made a tolerably creditable loan; and true, he quoted at that time Australia and certain other countries as having made before loans, which I deny, and he insinuated that the United States were borrowing money at a comparatively lower rate, which is not the case. Why, the hon. gentleman used to spend his whole time in denouncing the system of the United States, by which it had risen to unparalleled greatness, and he used to tell us that that country was utterly ruined by a Protective policy, although the depression which passed over the United States and all other countries, affected Free-trade and Protective countries alike. Every country fell for a moment under its blighting influence. There never had been before such wide-spread commercial desolation in the history of the business world. There were deep-seated and far-reaching causes that had nothing to do with a Protective or Free-trade policy. Gentlemen of high ability, who have made it their special occupation to look into such matters, declares that the general depression was not due to the fiscal policy of any country which has been effected by it. There was a great inflation which followed the discovery of gold; there was a vast improvement in machinery, which brought about an enormous increase of production in manufactured articles; there was the opening up of new railroad enterprises throughout the world, which brought out and developed the iron interest in England to an unparalleled extent. There was the creation of enormous loans upon the public credit of Foreign States which found markets in England and stimulated trade and industry there, and when these causes culminated, and the demand fell below the supply, there was a general crisis, and a general depression, from which we are now slowly, but sure at recovering. It may be to the advantage of hon. gentlemen on the other side to tell them that the depression, which first began in the United States in September, 1873, by the failure of Jay Cooke and Company, and then extended itself over the whole commercial world, although that depression first fell with frightful

severity upon the United States, a country which my hon. friends were never tired of quoting as being a horrible example of Protection which we were bound to shun, it is the first to recover in advance of Free-trade England. That country is now again going on in its career of prosperity with giant strides, and we do not hear the hon. gentlemen on the other side of the House—although they are very monotonous in their utterance, and give us the same old story every time they rise—we do not hear of them talking now about the United States; they have struck off their docket their references to the ruin of that country. I am sorry that it has been eliminated from the catalogue which the late Finance Minister used to bring forward, because that was his chief argument; and now that the pins are knocked out from under him, I do not know with what he is going to replace them. I was in the United States not long ago, and I found that the great iron industry in the State of New York had been revived and was working full time. Business had everywhere taken a new impulse, confidence had been restored, the people were again preparing to go forward in those enterprises which distinguished that country. I found there an universal feeling of hopefulness; but I did not find that their horrible Protective Tariff had been changed. I found that it remained almost exactly as it had been since 1861, and was still the impassable barrier—the Chinese wall—which my hon. friend had been obliged to deal with when he stood face to face with the deficiencies that were left in the Treasury by the management of the hon. gentleman opposite. It is useless for hon. gentlemen opposite to say that the people are hoodwinked; that the labouring classes do not understand their interests. The labouring classes do not need to be taught by unsympathising, supercilious men like the late Finance Minister. They do not need to be instructed by such as he as to what is their interest, for they are very quick to see it, and he vastly under-estimates the intelligence of the people when he speaks of their ignorance and delusion in regard to the policy which has been given them, in accordance with their votes, deliberately recorded in its favour. In the United States, under the system of universal suffrage, when-

ever a new Congress is elected, the people have an immediate remedy in respect to anything which they desire to change. They can send such representatives to Congress as will effect their wishes. Yet they have endured the frightful bondage of a Tariff, which we are told renders them worse than slaves, since 1861; and I have never heard that they have made a real and earnest attempt to shake off that bondage, of which the hon. gentlemen opposite are never tired of talking. They are proverbially quick-sighted, shrewd and careful of their pockets. At every election in the United States, the Protective system is put on its trial, and it has been affirmed at every election, since it was adopted by great majorities. At the last session of Congress but one, Mr. Wood, a Democrat from the State of New York, and a Free-trader in a limited sense—for there never were any Free-traders, in the English sense, in the United States, except the people from the South, who formerly coalesced with the Democrats to keep down the schemes of the Northern manufacturers—proposed a modification of the Tariff, and I heard hon. gentlemen on the other side of the House exulting in the idea that, after all, the destructive fabric which had been reared by the Protectionist policy in the United States was to be overthrown. But Mr. Wood only proposed a reduction, even in the extremest point, to 35 per cent., and to that point upon a very limited list. It has been charged against my hon. friends that the legislation of the majority of this Parliament, of which I am a humble member, has been unpatriotic, disloyal and unfavourable to England. Why, there never was a more unfair statement made; and I, in my turn, may say, as my hon. friend on the other side did not hesitate to say—although I will not use the precise language that he used in speaking of us—I will say that I do not believe that the gentlemen who have reiterated that assertion on the other side of the House are sincere in making it. I will not insult their intelligence in such a way as to accept their statements as sincere. I would as soon believe that the hon. member for South Huron (Mr. Cameron) was honest when he attempted to fix responsibility for the vagaries of Mr. Perreault, of Montreal, upon

the Conservative party, as to believe that he and his friends are sincere and honest when they make the statement that our policy is a blow aimed at England. I know that the gentlemen on the other side do not believe for one moment that the great Conservative party of this country, represented by a vast majority in loyal Quebec, by a vast majority in loyal Ontario, by a vast majority in nearly every one of the Provinces of this Dominion, has deliberately set about adopting a policy which would be an insult to the great country to which we owe affection, loyalty and allegiance. The accusation is preposterous. We never have accused the leaders of the Liberal party of holding disloyal sentiments, though they were sometimes in very suspicious company, and we ought to claim from them protection against the charges which their underlings bring against us. The figures which the hon. the Minister of Finance has given us in his Budget Speech ought to have convicted the hon. gentlemen who made such statements on the floor of this House, and ought to have put them to shame. They tried to prove too much; they tried to prove, on the one hand, that the policy is unfriendly to England, would put a tax on the British manufacturer, and would sever the bond which unites the two countries. They asserted that it was but a step towards annexation or towards independence. On the other hand, they say that the policy is a menace to the United States, and is likely to bring about reprisals from that country, which had already raised its Tariff quite as high as it intends to do. Now, the calm resignation with which the United States has received our Tariff is a rebuke to those gentlemen. My hon. friend (Sir Samuel L. Tilley) has shown that the drain on our revenue was constantly flowing into the United States. The balance of trade was constantly in favour of that country. Our exports were decreasing, and our imports were increasing. We had in the year 1879 a balance of twenty-five or twenty-six million dollars in gold against us, which we had to pay them, and we bought from them everything which represented skilled labour, at its highest rate. We gave them in exchange either gold or the productions of our labour, representing 75c. to \$1 per day. The

greater parts of what we gave them were agricultural products, or the products of the forest, which we had to win from the soil with the greatest labour, and with the very smallest return for that labour. That was our position, and we were met at the frontier at every point by a hostile Tariff wall which had been thrown up against us. My hon. friend found that as our imports from Great Britain were gradually decreasing, our export trade with that country—our best customer—was increasing steadily and far exceeded our imports; that it was desirable that we should make an effort to check the drain to the United States, and do something to bring down the enormous balance which we were sending across the border to the impoverishment of our own industries. Anybody who looks at the returns of my hon. friend will find that his Tariff has had the desired effect. Anybody who looks at the returns will find that those figures cannot be successfully disputed. I do not care how many hon. gentlemen get up on the other side with their columns of statistics prepared to prove that this percentage, or the other percentage, has been affected by this Tariff. The great result of the Tariff is there, and we understand perfectly well that we have made it in the best interests of this country. I defy anybody to prove that it has been in the slightest degree hostile to the British manufacturer or the British merchant; and the British manufacturer and the British merchant are not all of Britain. We hold here enormous amounts of British capital which has been entrusted to us; it is our duty to make that capital productive and to protect it; it is our duty to protect everything we can to promote the success and prosperity of this country, and thereby we shall certainly enhance the value of the investments that have been made in this country by our friends on the other side of the Atlantic. But, in any case, my hon. friend had no other alternative except to raise his Tariff. He found himself in a sea of deficits, from which there was no other means of extrication except by direct taxation. We have never heard from the hon. gentlemen opposite what they intended to do to fill the Treasury, which they had depleted, if they had remained in office. We have heard every sort of denunciation. We have heard

every kind of abuse which, with some members, passes for argument, but we never have had from the late Finance Minister, or from the late Premier, or from any of his followers, the slightest intimation as to how that abyss would have been filled, which they created by their persistent extravagance, and worse. I might, perhaps, venture timidly to follow the example of the hon. member who has just spoken, and quote here a few lines of verse which would aptly apply to some of the hon. gentlemen opposite, and their late colleagues, but I almost fear to do so, lest I should incur the sarcastic sneers of those refined and intelligent gentlemen who have manufactured very limp verses for me, put my name to them, and then heaped their scurrility upon their own banflings.

MR. ANGLIN: Give it to us; let us have it.

MR. PLUMB: If you insist, here it is. It relates to the events of the last Parliament:

“There were scandalous jobs in the East and the West,  
In which men high in place were chief actors;  
Corruption whose current no check could arrest  
In a Parliament packed with contractors.

“The members, <sup>saw</sup> returned in the Commons we  
By gold of the Government minting,  
Who chattered, defiant of honour and law  
For Supplies, Transportation and Printing.

“A nation beside us, who made us its spoil,  
For Canada's rulers had taught her  
That she could not protect her own children  
of toil,  
Or keep her own markets from slaughter.”

That was the record of hon. gentlemen on the other side. I believe that the Tariff which has been introduced in this country is the first step in a new era of its development. I believe that notwithstanding the croakings from the other side, notwithstanding the efforts which are made to keep down the prosperity of the country, and notwithstanding the menaces of hon. gentlemen which are intended to prevent capital from being introduced into the country, manufactures from being established, and those enterprises that are already in existence from being pushed forward, they will be powerless to effect their object, as was the old woman on the coast to sweep out with her broom the flood-tide which deluged her

cottage. I think we are to be congratulated that we have now a Government that have fulfilled, in every respect, the promises they made when out of power. They are not like hon. gentlemen opposite who falsified every promise they made while so long in opposition. We have attempted, in good faith, to do all that we promised, and to rescue the perishing industries of the country; and I believe that, notwithstanding all we have heard from the other side of the House, we are succeeding, and we shall succeed in doing it. I have no idea that Canada is in the condition hon. gentlemen have pourtrayed in the speeches we have heard ever since the Budget Debate begun, and, in fact, before the debate began. No single question has come up that has not been made an opportunity, in some way or other, for hon. gentlemen to attack the industries of the country, the prosperity of the country, and the National Policy. Even my hon. friend the late Premier, who has language enough and ideas enough to speak to the question on any subject without wandering from it, cannot refrain from uttering a diatribe against the National Policy whenever occasion offers. I did not intend to have occupied so much of the time of the House, when I rose to reply to my hon. friend who has just sat down, and who has exhibited a specimen of political inconsistency which is astounding to those who have not heard the extract I have read to this House. I say that that hon. gentleman is the boldest man that ever stood up in this House, in the face of his record, to press in language which I refrain to characterise, the argument that he has brought forward to-day. It is in very bad taste, to say the least, for the hon. gentleman to advance such arguments in such a manner. I think he must put himself *rectus in curia*; he must put himself right in court before he talks about the Free-trade policy. The Free-trade policy was forced upon England under circumstances it is not necessary here to state; but I believe there is a reaction going on there now, and if it would be possible for England to retrace her steps, she would take her position in accord with other nations who have a Protective policy—a policy that has enabled France to meet, without distress, the heaviest and greatest exactions that any country was ever sub-

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jected to, since Brennus threw his sword into the scale, and cried *Væ Victis*. It is a policy that has made her rich, when other nations were becoming poor—a policy that has stimulated her industries and will enable them to hold their own against the competition of the world. A case was told to me by a gentleman the other day, which illustrates exactly what that policy tends to. It was in regard to the manufacture of a certain kind of thread. French manufacturers had been compelled to go to England to get that thread. He suggested to the French Government that if they would give him a moderate protection, he would undertake to introduce the manufacture of it into France. The protection was given to him, and within ten years, whereas they had been paying twenty to thirty millions of francs per annum for that material, they were manufacturing from seventy to eighty million francs worth per annum. The same system has established the beet culture in France, and now they produced some 450,000 tons of beet sugar in a year, and in addition to this, in the region where beet sugar is manufactured, thirty-two head of cattle are now raised where one head was raised before. It was argued by Free-traders that the system of beet culture would kill the foreign commerce which depended on the sugar trade. It was 35,000 tons a year all told. That same commerce now is over 300,000 tons, growing out of the beet culture alone, and the beet sugar has come to be so large an article of daily use that at this moment 40 per cent. of all the sugar consumed in the world is manufactured from the beet root. In 1876-77, 3,000,000 of tons of sugar were consumed in those countries, in regard to which we have statistics, and of that quantity 1,200,000 was made from the beet root. The refuse of the beet root forms the richest and best cattle food of any other agricultural product, and, in addition to that, the culture of the beet cleanses the soil and prepares it thoroughly for a rotation of crops. France protected the beet culture sedulously, in spite of the sneers of Free-traders, in spite of the same kind of arguments, which are revamped from Bastiat, diluted by being passed through feebler minds, and pressed upon this House. France protected it against the advice of economists, and against the

advice of many experts, who said it could not chemically be refined so as to compete with the product of the cane. We now see the result. This is one of the evidences that our friends upon the other side of the House have not observed with candid minds the course of other countries, and have not monopolised all the knowledge in the world, although they arrogate it to themselves. I trust that the country will receive and approve, as I know it will receive and approve, the financial statement which has been brought down to this House, and which is now the subject of debate. I believe that the country fully appreciates the honest efforts which the hon. the Finance Minister has made in the direction of trying, by actual observation, to ascertain and understand what are the necessities of the country. He has not hesitated to go among the people to take counsel with them. Note what he says, that as there is complaint in some manufacturing quarters, it shows conclusively that he has not made his Tariff entirely in the manufacturing interests. It is the custom of gentlemen on the other side of the House to denounce manufacturing industries. It is their custom on every occasion to denounce and decry and slander every industrial enterprise of this country; but my hon. friend took an entirely different course. He did not arrogate to himself that universal knowledge which it is claimed as the specialty of my hon. friend who conducted the finances of the country with such wonderful success before my hon. friend came into power. He set about in a practical way to understand the workings of the business interests of the country. Hon. gentlemen, with their customary tactics, have sought to ridicule and belittle my hon. friend's efforts. I can tell them that the people appreciate and will honour him for the trouble and care, and interest that he has taken, and for the labour which he has performed in that direction. I can tell hon. gentlemen that it is not a light task for a man who conducts a laborious Department such as my hon. friend administers, to leave his duties here and to make the extended tours he has made through the country in ascertaining what the true position of things may be. I may say that he was not willing to accept the statements of the *Globe*,

and of the gentlemen the *Globe* inspires, in regard to the condition of this country. He chose to see for himself, and all honour is due to him for having taken the course which the gentleman who preceded him scorned to take. The hon. gentleman who controlled the finance in the late Government brought down a Tariff which he was compelled, by universal clamour, to withdraw. He, however, added  $2\frac{1}{2}$  per cent. to the 15 per cent list. The opinion of the hon. gentleman evidently is that that Tariff should never be touched again; that no man must lift his hand against it; that no man should presume to say that  $2\frac{1}{2}$  per cent. did not represent with the most mathematical accuracy the measure of burthen which could be put upon the people of the country, and that anathemas would fall upon any man who presumed to lay his sacrilegious hands upon it. Hon. gentlemen who harangue us upon this policy imagine in some mysterious way that their utterances will have the effect of restoring them to power. The jaunty attitude of the hon. member for West Middlesex reminds me very forcibly of one of Mark Twain's sketches, in which a western editor gave an account of a little difficulty in which he was placed by an irascible gentleman whom he had slandered. "That unfortunate, misguided man," he wrote in a leaded column, "rudely burst into our office; he addressed to us improper language; we thrust our right eye against his fist; after he had stood paralysed with the shock, we thrust our nose firmly between his teeth, fell on our back, placed our throat vigorously in the grasp of his right hand, following up our advantage by pressing our left eye against the thumb of his left, and vanquished him for ever." This is a fair parody on the brags of the hon. member for West Middlesex (Mr. Ross). If he thinks his party in a victorious position, it is the victorious position just described, he is welcome to it. No figures or argument that have been brought forward against him disturbed or disparaged the postulates and conclusions of my hon. friend the Minister of Finance for a moment; no figures that can be brought forward on the other side can injure his position as an honest, candid, practical statesman, carrying forward a successful policy. He is firmly

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rooted in the affections of the people of Canada; and he and his policy are destined to be sustained by the people; and it will be long ere our friends on the opposite side will have the opportunity of reversing his policy, or of inflicting upon us a revival of the political crimes and blunders which brought shame and disaster upon Canada during the time they held the reins of power.

MR. SNOWBALL moved the adjournment of the debate.

SIR SAMUEL L. TILLEY: Before the hon. the leader of the Government left, he mentioned to me his conversation with the hon. the leader of the Opposition.

MR. MACKENZIE: Yes; we arranged that it should go on after six o'clock to-morrow.

SIR SAMUEL L. TILLEY: In looking over the Order, I see we cannot reach it after six.

MR. MACKENZIE: We can reach it by consent.

SIR SAMUEL L. TILLEY: The hon. the leader of the Government did not think of it being Wednesday when he made that arrangement with the hon. gentleman opposite; and, if we proceed with the Order, we shall not reach it.

MR. MACKENZIE: But I mentioned specifically to him that we only had until six.

SIR SAMUEL L. TILLEY: It might be objected to by private members.

MR. MACKENZIE: I do not think, if he assents, any one will object.

Motion agreed to, and Debate adjourned.

House adjourned at

Twenty minutes before

One o'clock.

## HOUSE OF COMMONS.

Wednesday, 24th March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

PRIVATE BILLS REPORTS.

TIME EXTENDED.

MR. LANGEVIN moved:

That, in accordance with the Fourth Report of the Select Standing Committee on Railways, Canals, and Telegraph Lines, the time for the reception of reports on Private Bills be extended

for a period of three weeks from the 25th instant.

MR. BLAKE: I do not rise to object to the motion, because I think that it is a necessary consequence of the delays already allowed, but to say that the necessity for this motion indicates in the most pointed manner the inconvenience and dangerous consequences of permitting, in future, these delays in the progress of Private Bills. We are now informed that the main bulk of the Private Bills is to be disposed of during the stress and strain of the latter portion of the Session, when it is utterly impossible for many members, who would otherwise be quite willing to devote time to their consideration, to give them proper attention, considering the late hours we keep and the vast variety of business that comes before us at this stage. My suggestion is, the evil being so great, that it is the duty of the Government to propose, some time during this Session, a resolution which may be pointed out to the promoters of Private Bills next Session, showing the determination of the House to sustain in their rigidity the Rules which prescribe that these Bills should be ready before the commencement of the Session, and introduced at an early fixed day. Our Rules are sufficiently elastic, as more than once pointed out, to enable the House, on any reasonable excuse, to do justice in any particular, pressing case. But the mass of the Private Bill legislation, as we know from the circumstance that notice is given of it in due season in the *Gazette*, might just as well be ready before the beginning of the Session, were it not for the delays and negligence of the promoters and their lawyers. We now invite the continuance of this evil practice. Unless some step is taken this Session in the direction to which I refer, we shall find that it will recur and grow worse next Session.

SIR JOHN A. MACDONALD: I quite agree with every word that has fallen from the hon. member for West Durham (Mr. Blake). It is absolutely necessary, in the interest of private as well as public rights and for the prevention of injustice, that there should be strict supervision over our Private Bill legislation. Our country is so rapidly growing that we may expect every Session more and more subjects and applications

for Private Bill legislation. As the hon. gentleman observes, the very fact of its being known that we insist on due notice being given in the *Gazette*, and on those Bills being ready at the opening of Parliament, will materially tend to abolish the present evil. The parties who prepare the notices can just as well prepare the Bills for the opening of Parliament. It is owing to the laxity of the House and Parliament generally in this respect for many years that it has been supposed that, no matter how stringent the Rules may be, the House will, on a motion, be good enough to dispense with them, and allow the Bills to be brought in at a period much later than that prescribed. I think this debate will have that effect in the future upon persons who are likely to come before Parliament for legislation. It will have the effect of warning them that, if they do not carry out the resolutions of the House, Private Bill legislation will be set aside. There is no excuse in these cases for delay. It is simply negligence, arising from the belief that the House will not enforce its own Rules.

MR. MACKENZIE: There is just this to be said, that, no matter what resolutions are passed, unless those who govern the legislation of the House take this matter up, nothing will be done. Nothing could be stronger than what we have already in our Rules in respect to this. All that is wanted is thoroughness on the part of the Government in enforcing them.

SIR JOHN A. MACDONALD: It is quite true. We shall endeavour in the future to imitate the great rigidity with which my hon. friend opposite carried out those Rules during the last five years.

MR. LANGEVIN: In answer to the hon. member for West Durham (Mr. Blake), I would add that, no matter what the Rule is, and supposing we had adhered to it strictly, a motion of this kind would be necessary, because the Railway Committee and other Standing Committees, have such a large number of Bills before them that they require a good deal of time to dispose of them. If we want these Bills to be properly examined and discussed, we must have the time to do it. It is not easy to go through more than two or three Bills in a day, and we cannot have more than two sittings per week of each of the Railway, Banking, or other large Committees. We therefore



see the necessity for the Rule relative to the reception of reports to be changed, in order that the Committees may have sufficient time to examine the Bills and report. Of course I concur entirely in the remarks made about adhering strictly to the Rules in the introduction of Bills. It is a most dangerous thing to allow Private Bills to come in without ample notice having been given. We sometimes allow a Bill to be introduced when only five or six weeks' notice has been given, and this has prevented parties who had objections to the Bill from presenting their objections. The Bill passes, and then the objection is made, but it comes too late. I have seen instances of this even during the present Session, and I certainly think it desirable that our Rules should be strictly adhered to.

MR. PLUMB: I think that, in view of the enormous and increasing quantity of Private Bill legislation which is coming before us, there should be some effectual means of providing that persons who wish to obtain private charters should obey certain regulations applicable to all. There may be occasional exceptions, which can be taken into consideration when they arise, but the constant practice of departing from the Rule as to notice and as to the time when Private Bills can be introduced is pernicious. The practice, which seems to have become a matter of course, of extending the time, does not give a fair opportunity to parties who may be affected to appear and be heard with respect to legislation that may affect their rights. I believe it would be greatly in the interest of this country, and greatly facilitate the proceedings of Committees and of the House, if there were certain cardinal principles laid down by law in respect to Bills which constantly come up for legislation here and which are of kindred character, and upon which the same kind of discussion constantly takes place. Most of the clauses of Acts chartering railway, banking, trust and telegraph companies, and all that class of legislation could be settled upon certain established principles and put into a form of words which could apply to all. The promoters of Private Bills should be compelled to have them drawn in that form. I have seen a Bill for chartering a private company brought into the Committee of Banking and Com-

merce, in which its promoters seemed to have deliberately extracted from every Act of a similar nature that was on the Statute-book its loosest and most objectionable clause. Something should be done to prevent that. Precedents are always cited in every kind of Private Bill legislation that is brought before the House, and, whenever we allow to slip past us an objectionable clause, it remains on the Statute-book, and is used as an excuse for coming here and asking for the same thing.

MR. CASGRAIN: If I can draw any conclusion from what has been said, it is that there should be some remedy to this kind of legislation, and the proper remedy would be for every Private Bill to be submitted to the hon. the Minister of Justice before it comes before Parliament.

SIR JOHN A. MACDONALD: That would be to burden unduly the Minister of Justice. But, if the proposition of the Senate is carried out, we shall have a joint body of law clerks by whom all these Bills may be examined before coming before the Committee.

Motion agreed to.

#### CHINESE—PETITIONS IN RELATION TO.

##### RESOLUTION.

MR. DECOSMOS moved:

That all petitions respecting the Chinese presented to this House during this Session be printed in the Votes and Proceedings.

MR. MACKENZIE: I think that is a very objectionable course. I do not object to these petitions being printed, but I think their being printed in the Votes and Proceedings would be a precedent that should not be established. Every member would think that he would be entitled to the same privilege.

MR. DECOSMOS: They are very brief and I think it desirable that they should be so printed.

SIR JOHN A. MACDONALD: There will be no objection to having them printed for the use of members, but we must not get into the habit of overloading the Votes and Proceedings which are draft copies of the Journals of this House.

Resolution, as amended, agreed to.

Resolved, That all petitions respecting the Chinese presented to the House during this Session, be printed for the use of members.—*(Mr. DeCosmos).*

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## BILL INTRODUCED.

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

Bill (No. 83) Further to amend the Act respecting cruelty to animals.—(*Mr. MacDonald, Pictou.*)

## SUPERANNUATION FUND.

## QUESTION.

MR. KEELER enquired, Whether it is the intention of the Government to examine into the state of the Superannuation Fund, the working of the Act, and the amounts granted under it, as was proposed to be done by Special Committee of last Session.

SIR JOHN A. MACDONALD: It is the intention of the Government to examine into the state of the Fund.

## COMMERCIAL UNION WITH THE UNITED STATES.

## QUESTION.

MR. CASGRAIN enquired, Whether any correspondence has taken place between the Dominion Government and Mr. Wharton Barker, of Philadelphia, on the subject of a Commercial Union between the United States and Canada.

SIR JOHN A. MACDONALD: There has been no correspondence between the Government and Mr. Wharton Barker on the subject. Mr. Wharton Barker, I believe, has sent every individual member of the House, including myself, copies of his own views, but there has been no communication with the Government.

## OFFICIAL ASSIGNEES' RETURNS.

## QUESTION.

MR. GUNN enquired, Whether it is true that a large number of official assignees have failed to comply with the law as to Government returns, and other matters; and, if so, whether it is the intention of the Government, before the Act respecting the Insolvency Law receives the Royal Assent, to make efforts to compel such defaulters to make good their omissions.

MR. McDONALD (Pictou): There are a number of official assignees who have made no returns of their statistics, although they have been urged to do so by the Department. I may add that the provisions of the Insolvency Law providing that assignees having funds in their hands should pay those funds into Court

are excepted in the repealing Act, and immediate action will be taken to carry these provisions of the law into effect.

## MANITOBA LANDS.

## QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government to provide a more expeditious machinery, by which letters patent for lots of land in Manitoba may not remain so long in their passage from one Department to another before finally reaching the applicants.

SIR JOHN A. MACDONALD: The Government has taken every step possible to expedite the issue of patents.

## EXTRADITION OF FUGITIVE CRIMINALS.

## RESOLUTIONS PROPOSED.

MR. BLAKE moved that the House do now go into Committee to consider the following resolutions:—

1. *Resolved*, That in April, 1877, both the Houses of Parliament of Canada unanimously adopted a Joint Address to Her Majesty in the following terms:—

*“To the Queen’s Most Excellent Majesty:*

*“MOST GRACIOUS SOVEREIGN:*

*“We, Your Majesty’s most dutiful and loyal subjects, the Senate and Commons of Canada, in Parliament assembled, humbly beg leave to approach your Majesty for the purpose of representing:*

*“That the Parliament of Canada has all the power necessary for making provision for the extradition from Canada of Fugitive Criminals.*

*“That the Parliament and Government of Canada have all the powers proper for performing the obligations of Canada, as part of the British Empire, towards foreign States, arising under Treaties between the Empire and foreign States.*

*“That several Extradition arrangements extending to Canada have been made between Your Majesty and foreign States, and that other such arrangements may from time to time be made.*

*“That it is proper to make provisions by one Canadian law, for the execution, as respects Canada, of all such arrangements.*

*“That a Bill has passed both Houses of the Parliament of Canada, and now awaits Your Majesty’s assent providing for the execution, as respects Canada, of all such arrangements so soon as the operation of the Extradition Act of 1870 of the Parliament of the United Kingdom shall have ceased or been suspended within Canada.*

*“That by the said Act of the Parliament of the United Kingdom certain provisions are made for the extradition of Fugitive Criminals, and by the 17th section it is enacted that the Act when applied by Order in Council*

shall, unless it is otherwise provided by such Order, extend to the several British Possessions in the same manner as if throughout the Act the British Possessions were substituted for England as the case may require, with certain modifications, and by the 18th section it is enacted that if by any law or ordinance, made before or after the passing of the said Act, by the Legislature of any British Possession, provision is made for carrying into effect within such Possession the surrender of Fugitive Criminals who are in or suspected of being in such British Possession, Your Majesty may, by the Order in Council applying the Act, in the case of any foreign State, or by any subsequent Order, either suspend the operation within any such British Possession of the Act, or of any part thereof, so far as it relates to such foreign State, and so long as such law or ordinance continues in force there, and no longer, or direct that such law or ordinance, or any part thereof, shall have effect in such British Possession, with or without modifications and alterations, as if it were part of the Act.

"That the provisions of the said Act of 1870 are unsuitable to Canada.

"That, when the said Bill now awaiting Your Majesty's assent becomes law, it will be expedient that the said Act of 1870 should not extend to Canada.

"We, therefore, humbly pray that Your Majesty will be graciously pleased to invite such legislation in the Parliament of the United Kingdom as will cause the operation of the said Act of the Parliament of the United Kingdom to cease in Canada, and that in the meantime your Majesty will be graciously pleased by Order in Council to suspend the operation within Canada of the said Act so far as it relates to any foreign State with which there may be an extradition arrangement."

2. *Resolved*, That the Canadian Bill referred to in the said Address, received the Royal Assent on the 28th of April, 1877.

3. *Resolved*, That the said Canadian Act has not yet come into operation, because Her Majesty has not as yet been pleased to comply with the prayer of the said Address.

4. *Resolved*, That the inconveniences which led to the passing of the said Act and the adoption of the said Address are still subsisting, and it is in the public interest that the said Act should become operative without further delay, and to that end that the prayer of the said Address should be complied with.

5. *Resolved*, That an humble Address be presented to Her Most Gracious Majesty, embodying the foregoing Resolutions, and praying that Her Majesty would be graciously pleased to comply with the prayer of said former Address.

He said: It will be recollected that the law with regard to the extradition of criminals is in a very unsatisfactory state. The Treaty with the neighbouring Republic described certain classes of crime for which extradition was obtainable, but, being of a very old date, it was framed before more liberal and reasonable notions

of extradition law prevailed, while the facilities for communication were not so great, and when crimes against property were not so numerous as to-day. Representations have been made from the Government of Canada to the Imperial Government as to the importance of an extension of the Extradition Treaty with the United States, and the negotiations to that end had reached a certain point when they were interrupted with by the unfortunate difference of opinion between the two Governments, and, as far as is known, although that dispute terminated practically by the abandonment of the position of the Imperial Government, these negotiations have not been resumed, and the result is that, with reference to the classes of crime for which persons may be extradited, both countries remain in an absurd position. That position will not be affected by the success of this motion, but I think it important that some reference should be made to it, so as to show that we are still alive to the situation, and still desire an improvement, entirely irrespective of the question now in hand. I do not propose to go into the intricate and involved state in which our Extradition Law stands further than to point out, as was well observed by a learned Judge, that it is necessary at each step of each case "to decide how much of the Canadian law is consistent with so much of the Imperial law as is consistent with the Treaty." That is the involved operation which is to be performed in each case. Several Canadian Acts have been attempted; some were reserved, and in one case the Royal Assent was proclaimed, but another assent was necessary, and that has not been given. This particular Act it was thought better to pass here, but to provide for its coming into operation only when the operation of the Imperial Act of 1870 should cease or be suspended in Canada. By the Imperial Act of 1870, it was contemplated, as convenient and expedient, to carry out the Extradition Treaties in the various Colonies and dependencies of the Empire by local machinery, and it was provided that, in case satisfactory local machinery were provided, it should be competent for Her Majesty to suspend the operation of the Imperial Act. Canada has always been ready to provide sufficient local machinery; and the Act of 1877

was carefully devised with a view to give, in one single legislative enactment, without reference to any other law, either of Canada, or the Provinces, or the Empire, in a manner comprehensive in its principle, and at once elastic and precise in its details, all the procedure necessary to dispose of any case of extradition that might arise under any Treaty with any power. That Act passed both Houses unanimously, and was followed by an Address of the two Houses also unanimously adopted, praying Her Majesty to cause steps to be taken for the cesser, and meantime for the suspension of the operation of the Imperial Act in Canada. Difficulties of the most grievous character exist owing to the confused and contradictory state of the law. It is within my own knowledge that the ends of justice have been thwarted in a grievous manner. Applications for extradition occur but rarely; so that those who dispose of cases which do arise have not the advantage of that familiarity with the provisions of the law which would exist if such cases were frequent. The professional gentlemen who have to conduct such cases lack the same advantage, and the few cases that arise occur not unfrequently before judges not of the highest grade. It would not be surprising, under such circumstances, to find an occasional mishap in the administration of justice, even when the law is clear and unconfused; but, with the existing confused and difficult enactments, it is not to be wondered at that justice should frequently fail. I have a knowledge of more than one case, within a very short time, in which criminals, who certainly came within the extradition law, have escaped, because the confused and difficult state of the law rendered the initiatory proceedings abortive; and, after some thousands had been expended in procuring extradition, the parties have been released, the persons pursuing them having exhausted their money or their patience, and thus paying expenses and letting the criminal go. That is not a state of things which should continue. Our law should not remain in this state, and particularly a law which affects, not our own citizens, but the cordiality of our relations with other States, and therefore our Act of 1877 should be brought into operation. The answer to the Address of 1877 was

that a Royal Commission had been issued to consider the whole subject of extradition, and that it was desired not to take even this action pending the report of that Commission. I confess I was disappointed when the Colonial Secretary announced that conclusion, because this particular Act was prepared in concert with, and received the assent of, the Imperial authorities. It was utterly impossible that the suspension, which might be revoked at any time, of the Imperial Act, would interfere with any ultimate action under the Commission. But that is by the way. That reason for delay ceased in May, 1878, when the Royal Commission presented its report. Before advertent to some of its recommendations, I wish to mention one which is directly material to this question. The report states that no change is necessary as to the regulation of the extradition relations of the Empire and the Colonies, that that question was satisfactorily settled by the Act of 1870; and thus, so far as the motion is concerned, we are left upon the old lines. If efficient local provision is not made for the carrying out of Extradition Treaties, the Imperial Act prevails, but, if such provision be made, the local provision ought to be allowed to go into operation unembarrassed by the Imperial Act. I think, therefore, that we should once more address Her Majesty, the reason for non-compliance with our Address having disappeared in 1878, and request her to allow our carefully prepared Act to go into operation. The Royal Commission reported many important views in reference to extradition, and I think the principles laid down will be generally approved here. They conform to those which the late Government of Canada had pressed on the Imperial Government. One proposition is that it is the interest of each State to get rid of all criminals from other countries taking refuge within its borders. It follows that it is reasonable that legislative provision should be made giving authority to the Executive, under proper precautions, to deliver over offenders to the justice of the State in which they have offended, even though that State does not act in the same way. In this matter, at any rate, it is not essential that there should be reciprocity. If any country should foolishly decline to make provision for the surrender of criminals, it is not a sensible revenge

to refuse to surrender to that country its criminals flying within our bounds. If we cannot get back our own rogues, let us at all events deliver up the rogues who come to us from other countries. If the adoption of the suggestions for an enlarged treaty with the United States is much longer delayed, it may be important for us to provide for the surrender of criminals from the United States so as to prevent our criminal classes being increased by the immigration of the criminals from the South. The next proposition is in regard to the question of "nationals," and it is that the surrender should not be confined to subjects of the demanding or other States, but should be extended to subjects of the surrendering State, so that a subject who, having committed a crime in foreign parts, returns to his own country, will be by it surrendered to the State in which the crime was committed. The third proposition is one of great importance to us. It embodies the general principle that extradition offences should embrace all but political or purely local offences, provided that they are crimes under the law of the surrendering State. For convenience sake, the classes of extradition crime should be stated either specifically or by general reference, but the statement is to be based upon the broad and general principle to which I have referred. The adoption of this principle would enable us to get rid of many criminals who now secure a safe refuge in Canada, and punish many others who, having committed grave crimes here, find an asylum in the United States. The next suggestion is that persons surrendered for an extradition crime should be liable to be tried for any other crime not being a political or local offence. A great deal of discussion has taken place on this subject, which indeed was the point on which there was a disagreement for a time between England and the United States. The Commission decidedly lays down the view that there should be no limitation of the right to try persons once surrendered for other, not being local or political, offences, and that a sufficient safeguard would exist against the abuse of extradition—first, in the declaration that the persons returned should not be tried for political or local offences; and, secondly, in permitting the person whose return is demanded to show,

if show he can, that in point of fact the object for which his return is sought is that he may be tried for some such offence. The last provision to which I refer is one specially pertinent to this motion. The Commissioners thought it of importance to lay down the rule that all extradition legislation should be contained in one single enactment, just as I am now contending for. Owing to the peculiar circumstances, the rarity of its administration by any one person, the rapidity with which it must be administered, and the infamiliarity with the process, there should be the utmost possible measure of simplicity as well as of certainty, which is certainly not to be obtained when we have to look to various Statutes and Treaties of different degrees of authority, and to gather from this mass the possibly conflicting and ambiguous provisions, what is the true procedure. Therefore, in so far as the Commissioners touch on the objects of this motion, in their two propositions, that the extradition relations of the Empire and the Colonies should not be changed, and that the legislative provision should be in one enactment, we find nothing against, but everything in favour of it. I think then that we should once more gently call the attention of the Secretary of State for the Colonies to the fact that a unanimous Address of both Houses of the Legislature was presented in 1877; that the reason given for non-compliance with that Address ceased in May, 1878, and that, as yet, we have heard nothing whatever of any step having been taken to give effect to our wishes, and thus simplify what is now confused, and render relatively certain what is now doubtful and obscure, to prevent such failures of justice in the future as have occurred in the past, and which may be expected to recur with increased frequency so long as the law stands in its present position.

SIR JOHN A. MACDONALD: As the hon. member for West Durham truly says, the Bill of 1877 was fully considered in the House. It was carefully prepared under the auspices and supervision of the hon. gentleman himself, who bestowed on it all the care he always does in matters of this kind. It was passed unanimously in each House, and stands now awaiting the action of Her Majesty's Government

in the issue of the Proclamation. Since the hon. the Minister of Justice took office, however, there has not been, fortunately, an application for the extradition of a criminal, and therefore the subject has not been prominently pressed either on his attention or that of the Government. However, he has taken occasion to communicate with Her Majesty's Government on the subject, and they have informed us that they have considered that before the issue of a Proclamation they desire to invite the reconsideration of the subject by the Dominion Government. The particular subjects of reconsideration have not been fully communicated to the Dominion Government as yet. We are in early expectation of receiving the communication promised on the subject. Until it arrives, the hon. gentleman will see it would be well that his motion should stand over. He has fully and correctly pointed out the inconveniences that have arisen from the confused and inadequate state of the law. I think that inadequacy and confusion were both removed by this measure, and that it would have been greatly for the advantage of this country had the Proclamation been issued, and the law of 1877 been put in full operation. I still hope it will be so. We expect the communication before the Session ends. I hope it will come soon; in which case we shall early communicate to the House the subjects for reconsideration.

MR. BLAKE: After what has been said, I assent to withdraw the resolutions, for the present. But I may say to the hon. the Minister of Justice and the First Minister that I believe that applications have been sent by the United States Government for extradition, though they may not have reached his office. I know, as a matter of fact, that preliminary proceedings have been several times taken in the Courts, and that justice has failed.

MR. McDONALD (Pictou): That is quite likely.

Motion, with leave of the House, *withdrawn*.

INTERCOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS—FREIGHT RATES.

MOTION FOR STATEMENT.

MR. HACKETT, in moving for an

Order of the House for a return giving a comparative statement of the rates charged on the Intercolonial and Prince Edward Island Railways, for carriage of 20,000lb. of oats, potatoes, lumber, wood, coal and salt, for the distance of twenty, forty and sixty miles, respectively, on said Railways, said: My object in moving for this Return is to ascertain whether or not the rates for freight are higher on the Island than on the Intercolonial Railway. It is the general opinion in the Island that they are, and I have been strengthened in that opinion by looking over some figures of the rates on different railways. I find that on the Intercolonial a ten-ton car-load of lumber is carried fifty miles for \$9; the charge on the Prince Edward Island Railway is \$11.50. This is considered by the Islanders very unfair. I think we ought to carry freight of that description as cheaply on the Island as on the Intercolonial Railway. The Island road is one of the cheapest built and operated roads in the Dominion. We do not put that fact forward as a reason for cheaper rates, but we do believe that if they were reduced, the traffic would be increased, and, consequently, the revenue to the Government. The principle articles of freight on the Island Railway are farm products, which are weighty and of no great value. The producers find it would not pay them to move those articles any considerable distance over the Railway, and, consequently, they haul this produce to the nearest harbours and ship them. This should be considered, in framing a tariff for that Railway, that the Government has to compete with the carriage by water. They should encourage farmers and traders to send this produce over the railway. Oats, now very largely shipped by rail, might be increased to double the extent if the rate was lower. At present farmers will haul their products fifteen to twenty miles, to a port, because, the railway rates are too high. Our products not being of very great value need to be carried at very low rates. The expectations of many farmers, that the Railway would equalise prices all over the Island, have not been realised, those living at a considerable distance from stations or harbours being still at a disadvantage. Farm-stuff and lumber can-

not be sent over fifty miles on the Railway at a profit; so in the interest of both the people and the Government it should establish cheaper rates. This season a large reduction has been made in the transportation of mussel-mud, one of the most valuable fertilisers in the Province—a reduction of \$1 a car for twenty miles—and the people taking advantage of it, are sending this manure a distance of fifty miles. The result will be a very large increase of the revenue from this article alone, and a great benefit to the farmers using it in increased crops. There is not sufficient station accommodation on the road. In my county, three important villages, the centres of extensive farming districts, Miscouche, Freetown and Conway Station, need first-class stations. I hope the hon. the Minister of Railways will enquire into this matter, when he will see that increased accommodation to the people in this respect, would secure, among other benefits, an increase of the public revenue.

MR. LANGEVIN: I am very much obliged to the hon. gentleman for calling the attention of the Government to this matter. The interest of the Government is the same as the interest of the people in this case, provided the rates are not made too low, as the hon. gentleman remarked. When my hon. colleague (the hon. the Minister of Railways) returns, I will call his attention to these rates, in order that he may see if we can, consistently with our duty, reduce them. But we should remember that these railways have cost large sums, and we must deal with them in the same way as private companies in fixing paying rates. I agree with the hon. gentleman that, if these rates are too high, the revenue will not be in proportion to these rates, but they must, nevertheless, be high enough to remunerate the Government for the outlay. In respect to station accommodation, I am not aware that my colleague has had his attention called to it. I would recommend the hon. gentleman to be more explicit in his communications to the Department, in order to satisfy the hon. the Minister of Railways where the additional accommodation is required. I have no objection to the motion passing.

MR. JONES: This is a very important question. I think there would be no

great difficulty, in so far as Prince Edward Island is concerned, in giving *pro rata* rates on these railways. I desire to remark that grain, flour, wheat, etc., are brought from the Western States to Montreal, nearly, or quite as cheaply, as from Western Ontario to eastern points. Also, freight is carried from Montreal by the car load to Toronto as cheaply as from Montreal to Kingston. Now, this operates against the farmer in Western Ontario. It operates against the miller in Western Ontario, and in favour of the Western States, in enabling the farmers of those States to get their grain to market quite as cheaply as our western farmers can. Consequently, it operates in the way of building up the Western States at the expense of our own people. A farmer can get his produce from the Western States as cheap to the port of Montreal as the farmer of Western Ontario; therefore, the farmers in Michigan, Minnesota, and other States, are brought into competition with the farmers in Western Ontario. Consequently, the price of a farm in Western Ontario is not so high as it would be in proportion to the distance from seaboard. So also with regard to freights from Montreal west. The Government of the country should endeavour, if possible, to regulate freights, both east and west bound, within our own Dominion.

MR. BRECKEN: I am glad the hon. member has brought this matter before the House. The chief benefit which the people in Prince Edward Island derive from their Railway is the facility afforded them for the transport of agricultural produce, lumber and mussel-mud; the latter, a very valuable manure, much sought after by our farmers. The soil of the Island is very soft in the spring and autumn. The great traffic caused by the carriage of produce to our shipping ports renders our roads almost impassable, knee-deep in mud. The Railway is a great boon to our farmers, and as the work is intended for the benefit of the people, and not as a source of revenue, I submit that it would be wise to fix the tariff at such a rate as will induce our farmers and shippers to make use of the road. A lower rate of carriage than at present prevails would much increase the carrying trade, and add very considerably to the receipts of the Railway. Before I left the Island,

I was in conversation with several leading farmers, and they pressed upon me the necessity of seeing the hon. the Minister of Railways on the subject. I have little doubt that if the tariff were reduced the business transacted on that Railway would largely increase. I hope the hon. the Minister of Railways will take the matter into his consideration, and see what can be done in the direction of lowering the rates.

*Motion agreed to.*

MR. MUTTART, in moving for an Order of the House for copies of petitions, correspondence, and all other papers relating to the lowering of rates charged on the Prince Edward Island Railway, for carrying farm produce, firewood, lumber, coal and salt, said: I have no desire to trespass upon the time of the House to any unnecessary extent, but the importance to the whole country of the subject referred to in the motion, as well as its special importance, when considered in relation to the interests of the Island, form a sufficient apology for any little demand I may make on your patience and attention. I am pleased to be able to state that in reference to its railway the Island has few grievances to lay before Parliament. The chief object now sought to be attained is to procure a slight diminution in the amount of the rates charged for freight and passenger traffic. At the inception of the road it was exceedingly unpopular with the people. But that unpopularity is a thing of the past. And so great has been the convenience to the public, and so manifold have been the advantages of the road, that the people in the settlements remote from the main line are now petitioning for branch railways. East Point, Rustico, Campbellton and Cape Traverse, are all seeking to participate in what is now generally recognised to be a great public benefit. I trust that at no distant day the Government will see fit to listen to the prayer of these petitions, and extend branch railways to these settlements. Under the late Administration the people never entertained any very sanguine expectations that these branches would be constructed; chiefly from extravagant management, number of officials, and lack of economy the expenses of the Railway under the late Government far exceeded the receipts. The people could hardly expect under these circumstances that the

Government would consent to an increased expenditure in the construction of the branch line. But, fortunately for the Island and the whole country, a change of management has been made. A great saving, as I shall presently show, has been effected in the expenses of running the road, the receipts more nearly equal the expenditure, and these are circumstances that lead the people to believe that there is now a fair prospect of the branch lines being constructed. I have said that things have changed for the better. From 1st May, 1878, to 1st February, 1879, the expenditure in connection with the road has been less than during the corresponding period of the year previous by about \$60,000. The present Superintendent, Mr. McNab, has been able, with the assistance of two clerks, to do the work heretofore performed by Mr. McKechnie, Mr. Cunningham, and six other officials, effecting a saving in the office of the Superintendent alone of \$5,000 per year. Mr. McNab has proved himself to be a careful and painstaking officer, and an able and efficient Superintendent. In the light of his arduous and responsible duties, and in consideration of the valuable services he has rendered in reducing unnecessary expenditure, and promoting the interests of the road, I trust the hon. the Minister of Railways will see fit to recommend that his salary be increased. The Government have acted wisely in reducing the number of officials, but it is no less its duty to see that those retained, and whose services are actually necessary for the proper working of the road, from the Superintendent down to the lowest employé, should receive a fair and adequate compensation for the services rendered. I now desire to call the attention of the House to another phase of this matter, more immediately connected with this motion. The people of the Island complain that the rates of traffic imposed by the Government are too high, and that they are proportionately greater than are paid on other Government roads. It will be remembered that the Island is essentially agricultural, and the object of the Government is and should be to afford the utmost facilities for the transportation to market of the products of the soil. Besides, the road is obliged to compete with water communication at many



points, and rates that it would be expedient to adopt for inland railways will be found too high to enable it to compete successfully with cheaper modes of transport. It is a peculiarity, too, of the Island Railway, that, being a surface road and following as it does the curvature of the hills, a longer distance is traversed than if the road were straight, and the farmers are thus charged for greater mileage than what they derive benefit from. Now, if we compare the rates on the Intercolonial with those on the Island, we shall see at once how justly our people complain of the discrimination on the part of the Government in favour of the mainland route, and of the disregard there appears to be on the two lines between rates and distances. It costs 3c. per bushel to transport oats from Souris to Charlottetown, a distance of sixty miles. The freight per bushel on oats from Tignish to Charlottetown, a distance of 110 miles is 5c. The freight on grain from Montreal to Halifax, a distance of about 800 miles, is 8c. per bushel, or an average of 1c. per bushel for each 100 miles of road. It will thus be seen that, after we allow a little for the difference in the cost of terminal handling, we pay on the Island four times as much for the freight of our grain as is charged on the Intercolonial. This, we submit, is neither fair nor reasonable. Where lines of road are under the control of a Government, it has no object in charging one section of the people more than another, nor in levying more in proportion for a short haul than a long haul; and I am satisfied the matter will only require to be brought before the attention of the Government to be promptly and adequately remedied. I am satisfied, too, that the Government will find it to their interest to lower both the freight and the passenger rates on the Island Railway. It is a matter of constant experience that the lowering of the rates has a tendency to increase the amount of traffic; more especially is this case where the road is new. The people require to be educated and induced to travel and take advantage of the facilities of transporting their goods by rail. Then, in the course of time, it becomes a want and a necessity. The interests of the road and of the people are therefore, in this instance, identical; and the very measure that will enable and

encourage the farmers of Prince Edward Island to get their grain to Montreal, and to use the road as a convenience of travel, will, in all likelihood, presently, and certainly in the future, be a source of constantly increased revenue to the Government. In view of the peculiar circumstances of the Island, the local character and cheapness of construction of its railway, and of the other considerations, to which I have briefly referred, I trust the Government will at least try the experiment of lowering the rates of freight for both freight and passenger traffic on the Island Railway.

Motion agreed to.

#### DOMINION LANDS IN THE NORTH-WEST.

##### MOTION FOR ORDERS IN COUNCIL.

MR. SCHULTZ moved for an Address for copies of all Orders in Council affecting the settlement of Dominion Lands in Manitoba and the North-West, passed since 1870, together with copies of all notices to immigrants, based upon such Orders in Council.

MR. ROBERTSON (Hamilton): In seconding this motion, I beg to draw the attention of this House to a statement which I find in one of the public papers of this Dominion—an important paper, so to speak—the organ of the hon. gentlemen who now so admirably fill the places of the Opposition. In the *Globe* of the 20th of March, I find an article headed “Emigration from Canada:”

“Last Tuesday an emigrant train left Ottawa, and by the time it reached Cobourg there were 447 persons on board bound for Dakota, and only three for the Canadian North-West. The land regulations of the present Government deter large parties of people who wish to cultivate adjacent farms from taking up homesteads on the Canadian prairies. Emigrants acquainted with one another wish to form a community when they go to a new district, but the Conservative policy will not allow them to do so. Canada is losing the very flower of her hardy young men. They foresee that if they go on the wild lands of their own country they must pay for unnecessary roads, put up with the poor schools that alone can exist in thinly settled districts and suffer many inconveniences that will retard their prosperity in order that the speculators who are to be put in possession of half the soil may make a handsome profit on their investments.”

Now, if this paper only circulated in the Dominion of Canada, it would not make so much difference, because it is well known

that its character for mendacity is such that the people of Canada would pay little or no attention to it. But, unfortunately for this country, this paper has a large circulation in the neighbouring Union. As we have a right to expect, and as we know from experience numbers of the inhabitants of the neighbouring States are leaving that country, and finding more comfortable and more hospitable homes in our own North-Western Territory. We also know from what we have heard that it is most probable, at all events, that a large immigration is likely to set in from the Western States to our Territories, and under these circumstances we have a right to expect that a paper like the *Globe* would feel it to be its duty to say all that it possibly could with the view of magnifying the importance and the benefits that are to be derived from a settlement in this country. But, when we know that, unfortunately, such is not the course followed by that paper, and that papers of great influence in the Union take up the utterances of that paper, backed, as they are, by the hon. gentlemen who occupy the Opposition side of this House, I think it is high time that this House took some steps for the purpose of showing to the country that such utterances emanate only from the Opposition press, which, with the gentlemen who support it, is not only in opposition to the Government, but in opposition to the prosperity of this country.

MR. BLAKE: We are all interested in destroying the prosperity of Canada.

MR. ROBERTSON: One would think the hon. gentleman is speaking the truth, if we were to judge from what we have heard from the Opposition side of the House this Session, and what we see daily in the *Globe* and the satellites that surround it. It is all very well for the hon. member for West Durham to get up in his place and say, in the sneering style for which he is so justly celebrated, that we are all interested in destroying the prosperity of this country. We are not interested in destroying the prosperity of the country. It is the desire of the great majority of the people of this country that the country should go on as it is going on, but, as long as the Opposition is in the hands of the gentlemen who now form it, so long will they detract from

the prosperity of the country. When hon. gentlemen had the opportunity of governing this country, they brought it to the miserable state it was in in 1878. We do not feel inclined to let that come about again. I was going to say, when I was interrupted by the hon. member for West Durham, that it would make very little difference if this paper was not circulated outside of the Dominion. As I stated before, the *Globe* is circulated in the neighbouring Union, and I find that an important paper published in New York took advantage of the statement made in the *Globe*. I find in the columns of the New York *Herald* of March 23rd, this article:—

“A GOOD COUNTRY TO LEAVE. — A Toronto journal mournfully complains that on an emigrant train which left Ottawa a few days ago containing 447 persons only three were bound for what is called the Canadian North-West. The remaining 444 were all seeking new homes in the flourishing Territory of Dakota. These are evidently pretty shrewd emigrants, the very class who are needed and who are heartily welcomed in our Western States and Territories. If immigration upon this scale should set in from the older and more thickly settled portions of Canada toward the United States it would not take a great many years to depopulate the Dominion. The attractions offered by Dakota and other Territories are infinitely greater than any which Manitoba can present. The soil is more fertile; there is a higher state of cultivation. Many of the trunk lines of railroad are built, so that communication with the outside world is not difficult. On the other hand the Canadian North-West is a wilderness. A vast empire is marked out, but it is all on paper, in Parliamentary reports and Government advertisements. Canadian immigrants evidently believe that Canada is a good country to leave.”

What I wish to say in reference to this is that I am informed that this statement in the *Globe* is on a par with the great majority of the statements made with a view of injuring the National Policy, and that there is no evidence to show that 447 of those parties who were on that train were bound for Dakota. I think it is high time that the people of this country should know what the so-called loyal Opposition of this country is doing for the benefit of the country, while the majority of the people are trying to show that their country is one that they may be proud of. A policy has been inaugurated which will, no doubt, and which is daily, giving evidence of being such an one as will bring this country to that state

in which we all hope to see it. On the other hand, hon. gentlemen of the Opposition decry it in every way they possibly can, supported by the *Globe* newspaper and all the penny-whistles of the Grit press.

MR. OLIVER: I desire to say a word or two upon this very important subject. It appears that the report published in the *Globe* newspaper was to the effect that a train left the city of Ottawa for the American Union, there being a certain number of emigrants for Dakota and other American States, with a very small number for the Province of Manitoba. This is the statement that has appeared in the *Globe*, and has also appeared in various papers in the country. My hon. friend from Hamilton (Mr. Robertson) has stated that this is a great injury to the country. I would like to ask if my hon. friend, after making as many rash statements as he has done to-day, has any proof that the statement of the *Globe* is untrue. If he has not, I venture to say that he has no reason to complain, because the object of the *Globe* and of that of every other newspaper in the country is to tell the truth.

MR. MACKENZIE: That is what he complains of.

MR. OLIVER: Because the statement is true, and has some bearing on the National Policy, he complains. I think my hon. friend, before he goes any further, ought to state to the House that the statement in the *Globe* is untrue. If he is not able to furnish that proof he has no case against the *Globe*. He says that if the *Globe* was only circulated in this country the statement would do no harm, as Canadians do not pay any attention to its promulgations. Why, Sir, the hon. gentleman could not make a speech to this House without reading long extracts from the *Globe* newspaper. He knows the *Globe* wields an influence which is felt by everyone in the country, not only among those who believe in its doctrines, but amongst those who do not believe its doctrines. He is the very gentleman of all others that has most reason to fear the *Globe*. I have nothing to say on this subject except to take exception to the remarks of my hon. friend with reference to the *Globe*. The hon. gentleman seems to think some steps ought to be taken to put

a stop to the circulation of truth in the *Globe* and other journals throughout the length and breadth of the country. Of all other hon. gentlemen in this House, he is the one who ought to take some steps to compel the *Globe* to write and print such articles as are suited to him. I trust that this fling which he has taken at the *Globe* will do him a very great deal of good.

MR. ROSS (West Middlesex): Hon. gentlemen opposite seem to be very much alarmed at the influence of the press, and the influence of reporters in the gallery. One after another rises in his place and denounces the influence of the press, the circulation of facts in regard to public matters, and particularly such statements as they find in the Opposition press. My hon. friend from Hamilton generally occupies one-half his time, when speaking, in making quotations from the press, and they form the best portion of his speeches. Only for these quotations, I think his speeches would be very limited in length, and perhaps in information as well. The trouble of which he complains appears to be a very natural one. There seems to be a large emigration to the United States, the result of circumstances pretty well exposed when discussing certain pamphlets published by the Department of Agriculture. It is the certain result of the course the Government has taken in advertising American lands. If this large efflux of population has taken place, it is the result of the care with which the Government have given publicity to the advantages offered by American lands. I hold in my hand the *Postal Guide* for the Dominion of Canada, published under the authority of the Postal Department, of which I believe some 1,000 copies are circulated every quarter through the country. In the *Guide* for October last, I find the following:—

“Stop wrestling with stumps and stones for a miserable support. Go to the Arkansas valley and buy a farm at the cheap rates and on the easy terms given above, and in a few years at furthest, with the same effort and economy employed in Canada, you may possess the title to a royal farm with every home comfort and an enviable independence, with money to let.”

I suppose it will not be denied by my hon. friend the Postmaster General that it is published under the authority of the Department, and paid for out of the exchequer of the country. If

my hon. friend is disposed to complain of the large emigration from Canada to the United States, I think it would be consistent with his policy that he should denounce the Government who are doing so much for the benefit and development of the country in circulating advertisements like this, and for inculcating in Canadians a disposition to leave their own country and go to the United States. It cannot be said that all the loyalty that pertains to this country is to be found in hon. gentlemen opposite. If this document, which I have read, is any evidence at all, it is an evidence that the Government has adopted a systematic policy of persuading people to leave their own country, and we have had it repeated over and over again in the pamphlets they are circulating. I am glad my hon. friend has drawn our attention to these circumstances for it gives us an opportunity of showing how utterly hollow and foundationless is that disposition, on which they pride themselves so much, to enhance the interests of the country. It is an old Tory doctrine to denounce the press, and has been practised religiously from the Stewarts downward; but the last attempt to muzzle and stifle the press of England lived and died during the *régime* of the Duke of Wellington. In this instance, we have an hon. gentleman, who would not be here but for the influence the press created for him, denouncing the press because it denounces the disloyal policy of the Government of the day. I am surprised that my hon. friend has never raised his voice against the system of advertising, in Governmental documents, the land interests of the United States, and thereby encouraging an efflux from the Dominion to the United States.

MR. JONES: It must be by mistake that these advertisements have appeared in these documents. I have not taken the trouble to hunt back to find if the Government documents, published by hon. gentlemen opposite for the last five years, contained similar advertisements or not. I was very sorry, indeed, to read the article referred to in the *Globe*, because it was a very misleading article, and one that should not appear in any Canadian paper. It is a misleading article for this reason. It states that an emigrant train left Ottawa, and that by the time

it reached Cobourg it had 400 on board for Dakota and only three for our North-West country. Those 400 hailed from the Eastern States, and crossed over from Ogdensburg, in New York State, to Prescott. Two or three times a week large numbers of emigrants from the Eastern States go west *via* the Grand Trunk from the Eastern States and State of New York, crossing the St. Lawrence from Ogdensburg, N.Y., to Prescott. I very much regret that the press of any party should publish statements so misleading as this of the *Toronto Globe* now alluded to.

MR. SCHULTZ: I think that this whole discussion is the result of a misapprehension. The fact is, I think, that three emigrant trains have left this month for Manitoba. One on the second of the month, one to-day, and one at some period during the interval, the date of which I have forgotten. It turns out that while the first and last were announced as emigrant trains for Manitoba, the second was announced as a special train for Dakota. This second train left here with some forty or fifty Canadians, intending to go to Manitoba. The other passengers were made up of people from near Ogdensburg, who joined that train at Prescott. I have heard since that not only did we not lose any Canadians to the United States on that occasion, but so strong was the influence of the forty or fifty that embarked here, on the 350 from Ogdensburg, that when the train arrived at Glynden, some of the Americans who intended to settle in Dakota actually went on and settled in the Province of Manitoba.

Motion agreed to.

#### THE NORTHERN LIGHT STEAMER.

##### MOTION FOR STATEMENT.

MR. HACKETT moved for an Order of the House for a statement showing the number of bags of mails, passengers and tons freight, carried by the steamer *Northern Light*, on the route between Georgetown and Pictou, from the 19th December, 1879, to the present date; also, the number of trips performed, together with the earnings of said steamer on said route during said time.

MR. MUTTART: I rise to express my regret that the Government has seen fit to order the *Northern Light* to the Capes, especially as the experience of the present

winter has shown that the navigation of the straits between Georgetown and Pictou for the greater part of the winter months is feasible beyond any doubt. During the winter of 1878-9, which, as hon. members will remember, was an exceedingly cold and stormy one, this steamer did good work; and it is confidently believed, by those qualified to judge, that were it not for her meeting with an accident, which, by the way, happened to her while in search of a new and better route, she would have continued her trips between Georgetown and Pictou for the greater part, if not the entire, winter. During the present season she has run with remarkable regularity until very recently, a regularity which has almost if not quite convinced the most sceptical of her capabilities as a winter steamer. I find, on referring to the returns, that since 19th of December, 1879, up to the end of February last, the *Northern Light* shows the following earnings:—

Earnings for the month of December, 1879 .....	\$617 36
Made up as follows:—	
Freight .....	\$317 76
Passages .....	252 00
Meals .....	37 60
State-rooms .....	10 00
	<hr/>
	\$617 36
Earnings for the month of January, 1880 .....	1,152 23
Made up as follows:—	
Freight .....	\$449 63
Passages .....	565 50
Meals .....	103 10
State-rooms .....	34 00
	<hr/>
	\$1,152 23
Earnings for the month of February, 1880 .....	525 76
Made up as follows:—	
Freight .....	\$209 76
Passages .....	237 00
Meals .....	57 50
Rooms .....	21 50
	<hr/>
	\$525 76
Total earnings from time steamer commenced running up to the end of February last .....	<hr/>
	\$2,295 35

This amount may appear small in comparison with the cost of running the steamer; but aside from the increase of

trade which will be eventually built up in this direction, if steam communication be continued. The Island, according to the terms of Confederation, is entitled to efficient steam communication, winter and summer, for the conveyance of mails and passengers. Whatever difference of opinion may have existed as to the efficiency of the steamer herself—and I must say that I believe her to be a most excellent boat for the purposes for which she is intended—there can be little difference of opinion, I think, amongst unprejudiced men as to her unsuitableness for the route between Capes Traverse and Tormentine. Between these Capes is a distance of about seven nautical miles. A reef, about one and one-half miles in length, runs out from Jouriman's Island, near Cape Tormentine. The depth of water between Tormentine and Traverse ranges from six to sixteen fathoms. The water for a long way out from both shores is very shoal. Now, when it is remembered that the *Northern Light* draws over 21 feet of water; that the ice literally packs in, principally through the action of the tides, between the Capes, the unsuitability for this route, of a steamer drawing so much water as the *Northern Light*, must be apparent. I believe it is a mistake to expect uninterrupted steam communication to be kept up the entire winter with only one boat. If another steamer, along with the *Northern Light*, were placed on the eastern route, I believe that steam communication could be kept up for the entire winter. I am aware that any irregularity in the carriage of mails and passengers is very annoying to the public; and when the winter steamer happens to get jammed in the ice and unable to cross, people naturally feel like losing faith in the steamer. But it must not be forgotten that the same irregularities and delays would be likely to occur through stress of weather and other causes even in mid-summer, if we had to depend upon only one summer steamboat for the conveyance of mails, freight and passengers. With another winter boat on the Georgetown or eastern route, I believe winter steam communication between the Island and mainland could be kept up with regularity and satisfaction to the public. I may say that I agree with the opinion expressed in this House a few days ago by

the hon. member for Antigonish, that Cape George is more accessible as a winter port for the Island steamer than Pictou. North-easters pack the ice in so closely at Pictou Island, and the approach to Pictou, that it is difficult to get through it; and this is invariably the cause of the interruptions which have occurred in the steamer's crossing. This might be obviated if Cape George were made the point of approach on the mainland, as more sea-room would be afforded, and consequently the ice would not be found so closely packed on this course as upon the route to Pictou, especially during the prevalence of north-east winds. I think the Government, instead of taking away the *Northern Light* from the Georgetown route, should give us another boat. This may seem somewhat absurd to the advocates of the Capes route; but, in the face of the *Northern Light's* record for the present winter, I think I am justified in asking the Government to place on the Georgetown route an additional boat of similar dimensions to that of the *Northern Light*. The people of King's county do not receive their fair share of steam communication during the summer months. I sincerely hope the Government may continue the services of the winter steamer on the eastern or Georgetown route, and as soon as possible put on another boat.

MR. POPE (Queen's, P. E. I.): I have no objection to furnish all the information asked for. There is no doubt that the *Northern Light* has been, during this season, a greater convenience to the people of Prince Edward Island than during those of former years, more especially in enabling the merchants to more readily receive their importations from abroad. But at the present time she is in the ice, and has been so for fourteen or fifteen days. By the last account which I received she was off Georgetown harbour, and, until the wind changes, it is not probable that she can make any progress. The mails have not been sent by her, and she has been employed alone in carrying freight and passengers. The *Northern Light* has cost over \$130,000, and I feel bound to say that she has performed very little service indeed; and, the difficulty is, that her construction is such that when the season for which she is supposed to be specially adapted has passed, it is impossible to use her for any other pur-

pose whatever. When she has taken on board five or six days' coal there is no room for any cargo, and although she is idle, still her expenses decrease but very little, for it is necessary to retain the services of her engineers and other officers at high wages, although she remains idle.

AN HON. MEMBER: Send her to Hudson's Bay.

MR. POPE: I wish I could see my way clear to advise the Government to send her to Hudson's Bay, for she might be employed in exploring and surveying there, but she cannot carry coal sufficient to enable her to reach there. With regard to the earnings of the boat, I regret that I can give but a very unsatisfactory account. So far the average cost of her trips from Georgetown to Pictou has been \$500, and she has made about two trips a week. The earnings for the month of February amount to a little over \$500, and an additional cost had to be incurred in sending the mails by the Capes. My opinion is that the *Northern Light* is not fit for the Capes route. She draws over 18 feet of water, and if she attempted to run between Cape Tormentine and Cape Traverse, before the shore or board ice is firmly fixed, she would be in great danger and probably lost. But a small, powerful boat could run the greater part of the winter, except in very stormy weather, daily, or twice a day. A steamer somewhat like that which plies between Point Lévis and Quebec would be worth a dozen steamers of the draft of the *Northern Light*. But she has been bequeathed to us by our predecessors, and we have her on hand and we must do the best we can with her. This season she earned about \$1,000 for towing ships, which will somewhat reduce her expenses.

SIR ALBERT J. SMITH: The hon. gentleman, my successor, appears to be the sworn enemy of the *Northern Light*, notwithstanding what our friends from Prince Edward Island have told us of the performances of that vessel. Are these hon. gentlemen unworthy of credit, when they say her performances are marvellous? They are eye-witnesses of what she did, and of what she is capable of doing. I thought my hon. friend opposite, after listening to them, would have changed his mind, and cease his abuse and denunciations of the *Northern Light*, and,

after due reflection, say that he was in error. If my hon. friend is right, why does he keep the *Northern Light* going? Why did he put her out again? He says now she is in the ice, and has been there fourteen or fifteen days. I suppose that cannot be avoided; that will happen to any boat; that was always my opinion; and the *Northern Light* has turned out better than any other boat for that service. If it is true, as the hon. gentleman says, that it has rendered no service, it is wrong to keep her in the Public Service. But hon. gentlemen from Prince Edward Island testified to the contrary. Either my hon. friend is wrong or his colleagues are wrong. If they are right he is wrong.

MR. BRECKEN: I do not think my hon. friend the Minister of Marine and Fisheries is wrong. The hon. gentleman who has just spoken says my hon. friend is the sworn enemy of the *Northern Light*. Our interests are so great in the winter season that anything that can be done for us is welcome, and as the *Northern Light* has been a partial benefit to us, and given us a helping hand during this winter, it cannot be said that my hon. friend is an enemy to her. The communication between the Island and the mainland is kept up in the summer months by two boats belonging to our Steam Navigation Company in the Island. They are very good boats, but summer boats are not calculated for the stormy winter season. The *Northern Light* thus takes up the communication in the winter months, and she has generally kept up communication to the third week in January. That has been a great benefit, and we recognise the advantages we have derived from her. But still I say that the *Northern Light* is by no means a fulfilment of the arrangement made with us that we should have full communication with the railway system on the continent. It was, perhaps, right and reasonable that two or three years should elapse to allow this experiment to have a fair trial. We do not wish to be ungrateful to the ex-Minister of Marine and Fisheries for his endeavours to supply us with the requisite means of communication; but the boat has not been a success. It is no doubt an advantage to us to have her there; at the same time I quite agree with the remarks of my hon. colleague,

that the only reliable mail route is across the straits, and that it can only be carried on efficiently by the use of the small boats now in use, supplemented by a small steamer. I trust that before two years pass we will have the branch railways that I spoke of the other evening. When that improvement is effected, I do not think the House will hear so much on this subject.

MR. KILLAM: It is very pleasing for members on this side of the House to learn that there is some slight appreciation of the efforts of the late Government to secure communication with Prince Edward Island. We all rejoice that the *Northern Light*, which was to some extent an experiment, has been so successful. It struck me forcibly during this debate, that, notwithstanding all the attacks by the hon. the Minister of Marine on the *Northern Light* last year, nothing whatever has been done by the Government to secure better communication with Prince Edward Island, to which our good faith was long ago pledged.

MR. OGDEN: There appears to be a great difference of opinion among the members from Prince Edward Island in regard to the usefulness of the *Northern Light*, and as to the proper means of connecting the Island with the mainland in summer and winter. The hon. member for Queen's, P.E.I., (Mr. Brecken) strongly advocated, a few days ago, the building of a railway from the Intercolonial Railway to Cape Tormentine, for the purpose of carrying out the arrangement entered into by the Dominion and the Island Government at the time of Confederation. I thought the hon. gentleman made some sensible remarks on that subject, and I was surprised that he should belittle the noble Province which he has the honour to represent, by calling it a "little island." That was a serious mistake on the part of the hon. member. The *Northern Light*, in my opinion, is performing a very fair service. She has only been out fifteen days making a run of forty miles. The hon. member for King's, P.E.I., (Mr. Macdonald) states that she was doing good service, since she was only five days in crossing when he was a passenger. That is good service, indeed. It only costs \$500 a day. I think the most effectual way to carry out the terms of agreement between the Domin-

ion and Prince Edward Island Governments, would be to send the *Northern Light* to Hudson's Bay, if a tug boat can be obtained to tow her there, and build a railway from some station on the Intercolonial Railway to Cape Tormentine. We would then secure constant communication between the Island and the mainland. The people are not so poor that they cannot lay in a sufficient stock of the luxuries—they produce the necessaries—of life to last them during the time that navigation is closed. I must congratulate the hon. member for Westmoreland (Sir Albert J. Smith) for having given us a steamer which performs the service so well. I think we might as well try to navigate the Rocky Mountains or climb Niagara Falls as to attempt to navigate the Straits every day in the year. If the hon. gentleman had complied with the request of his constituents in Westmoreland, when they asked for a supply of old rails, which were rusting in different parts of the country, the branch railway would have been built, and there would have been no reason for the hon. members for the Island coming here and yearly talking about the *Northern Light*. I think the vessel should be sold at once, and the money received for her expended in assisting to build a railway from some point on the Intercolonial Railway to Cape Tormentine. It would be advisable for the hon. the Minister of Railways to enter into negotiations with some company, and give some old rails for the completion of the road which has been referred to. The road would be self-sustaining. It will pass through a fine country, populated by as fine a race of people as exists on the face of the earth, misrepresented, I believe, by the hon. member for Westmoreland. I hope this will be the last we shall hear about the *Northern Light*, and that steps will be taken to construct the railway by the present Government, as the hon. member for Westmoreland, who was in power for five years, failed to do so, though he might have secured its construction by loaning some old rails to a company which was prepared to build it if those rails could have been obtained, and which were afterwards given to the late member for Queen's, N.B. With this record it does not look well for the hon. gentleman to be talking about easy communication with Prince

Edward Island, which, had he done his duty to his constituency, might have so easily been accomplished.

MR. PLUMB: My hon. friend (Mr. Ogden) has made some practical suggestions; but it has often been said that it is impossible to become a seller unless you can find a purchaser. I do not think the *Northern Light* has exhibited those marvellous sea-going qualities that would lead us to a lively competition if she were offered for sale, and I think the position of my hon. friend would be greatly strengthened if such a disposition was made of the boat. It was stated, when the vessel was ordered, that she would cost \$50,000. She was an experiment, made by hon. gentlemen opposite, to throw a cloud over the bargain made with Prince Edward Island. We were under obligations to keep up communication with the Island, and the *Northern Light* was to effect that object. Instead of the price stated, she cost \$60,000. She was to run at all seasons; but we know now that she is utterly incapable of surmounting the obstacles she was designed to encounter. The vessel proved an utter failure, and nothing more ludicrous has been witnessed in this House than the attempt of the hon. gentleman (Sir Albert J. Smith) to convey his responsibility for the blunder to this side of the House. Not only did the hon. member try to do that, but he endeavoured to make out a worse case. There were great difficulties under which this unfortunate ship made her trial crossing; it seemed impossible to navigate her under such adverse circumstances. I consider it a very unworthy taunt of the hon. gentleman to insinuate that we are responsible for the *Northern Light*. She is costing \$500 a trip, and I think the best disposal that could be made of her is to stock her in the yard.

SIR ALBERT J. SMITH: I suggest that we send the hon. member for Niagara (Mr. Plumb) to attend to those matters.

MR. PLUMB: If I were there, I think I would manage better than my hon. friend opposite did.

Motion agreed to.

GRAND RIVER FALLS, RICHMOND, N.S.

MOTION FOR PAPERS.

MR. FLYNN, in moving for an Order



of the House for copies of all correspondence, petitions or documents, relative to the construction of a fish-ladder at Grand River Falls, in the county of Richmond, said: During the Session of 1873, a petition was sent to the Department of Marine and Fisheries from the inhabitants of Loch Lomond, in the county of Richmond, asking for a sum of money to remove the Grand River Falls, in that county, in order that salmon and alewives might be able to get into Loch Lomond Lake in the spawning season. That petition was referred to Mr. Kenny, the Inspector of Fisheries, who said it was desirable to remove the obstruction to the ascent of fish, in favourable localities, for breeding, and recommended that Mr. Rogers, Assistant Inspector for Nova Scotia, be sent to visit the falls, and make a report to the Department, which he did, in the month of October, 1873. Grand River opens at the Atlantic, and runs up three or four miles, until it meets a perpendicular fall of about 20 feet high. This fall prevents salmon and alewives getting into the large fresh water lake of Loch Lomond at the spawning season. This magnificent lake is nearly nine miles in length, and from two to three miles in breadth, and has everything to recommend it as a spawning ground. Mr. Rogers, in his report, stated "that he regarded the work as one of considerable importance; that the lake is a fine sheet of clear water, with splendid gravelly banks and beaches, and one of the most inviting places for fish cultivation that he had ever seen in the Province." He recommended the construction of a fish-ladder, and said "he did not know where \$1,000 could be spent to better advantage in the service of the Fisheries than in removing this obstruction." No action was taken by the Department of Marine and Fisheries on Mr. Rogers' report at that time. Another petition was sent, and a second report made by Mr. Rogers, in which he again stated the importance of the work, and necessity of removing the obstruction. I brought these petitions and reports to the notice of Sir Albert J. Smith, the late Minister, and strongly urged the immediate removal of this obstruction. In the winter of 1878, he directed that the sum of \$1,000 should be spent on that work,

either by erecting a fish-ladder or removing the fall by blasting. Mr. Milledge, the resident engineer of St. Peters' Canal, was directed to visit the place and make a plan and specifications of the work, in order that the Department could call for tenders. When Sir Albert J. Smith consented to the work being done, this memorandum was made by the Commissioner, Mr. Whitcher:

"Minister authorizes expenditure of \$1,000 on Grand River Falls. Write Mr. Wylde, sending him copy of Mr. Rogers' report, and instruct him to go there and consult with Mr. Milledge, resident engineer of St. Peters, and make a specification of the work so that we can call for tenders."

Mr. Milledge being occupied with other work, did not send his report until August. He recommended the erection of a fish-ladder, which might cost either \$700 or \$900. After the lapse of some time, I found that the Department were not asking for tenders, and in September I telegraphed to Mr. Whitcher why no tenders had been asked for the work. He replied that the sum involved was too small for a tender, and asked me to name a person suitable for the work and expenditure of the money. I did not wish to assume that responsibility, knowing nobody I considered competent for the work, which I regarded as very important. I preferred throwing the responsibility for this expenditure on the Department, and replied to that effect. Nothing was done that autumn, and when I arrived here last Session, I called on the hon. the Minister of Marine, and was told that nothing could be done in the matter. I was a little astonished at that answer; the work is one in which not only everyone in my county, but all engaged in the Fisheries of Cape Breton, are interested. I did not consider that, because I was in opposition to the Government, our important public works should be treated in this manner. If I had desired to make political capital out of it at the last elections, I might have spent the money offered me; but I did not want to assume that responsibility. Though the work was ordered during the Administration of the late Minister of Marine, I was quite satisfied that whoever succeeded him would carry on the work, which I could have ordered after the defeat of the late Government, as I had

a telegram from Mr. Whitcher, so late as the 4th October, asking me to name a person for the work. Did I not think the present Minister of Marine would have ordered the work, I would have named a person to do it, and though it might not have been so well done, there would have been an improvement with the money spent. I need not tell the hon. gentleman how important it is that those rivers should be carefully protected; their proper protection and the improvement of the fish-supply, means an increase of the deep-sea fisheries. Before the river fisheries were destroyed, years ago, the deep-sea fisheries were more abundant. You have only to spend \$700 to \$900, in removing this obstruction, to make Loch Lomond one of the finest spawning grounds on this continent. I wished in these observations not only to promote this improvement, but to set myself right with the people who have been led to expect it. My object in making this motion is not solely to bring to the notice of the hon. the Minister of Marine and Fisheries the importance of this work, but I desire also to place myself in a proper position with the people of that section of the country, to whom I stated that the expenditure of \$1,000 was authorised by the then Minister (Sir Albert Smith) in the erection of a fish-ladder on this fall. I therefore avail myself of this opportunity to tell them again that I had his authority for the statement, which the memorandum I have already read will fully prove, and that his successor now refuses to carry on the work. But, Sir, I trust the hon. the Minister of Marine and Fisheries will see the necessity of removing this obstruction, and that he will not hesitate to spend so small an amount as is required for this improvement when such beneficial results would flow from it.

*Motion agreed to.*

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

### After Recess.

COMMON ASSAULTS DEFENDANTS  
WITNESSES ACT AMENDMENT  
BILL.—[BILL 41.]

(*Mr. McCarthy.*)

THIRD READING.

Bill read the third time and passed.

### SUPREME AND EXCHEQUER COURTS ACT AMENDMENT BILL.—[BILL 37.]

(*Mr. McCarthy.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

MR. MCCARTHY: Before proposing the alteration I intend to move, I may say that my attention was drawn to this matter by a member of the Quebec Bar, who, I thought, made out a very strong case for the repeal of the 22nd clause of the Act of 1875. He mentioned one instance in which a verdict was obtained. An appeal was made for a new trial, which was allowed on the ground that the verdict was against the weight of evidence, and upon this he determined to carry the case into the Supreme Court. But he was met by the difficulty created by this section of the Act. He then went to England, being forced to go to the Privy Council because the Supreme Court could not entertain the question, when the Court below had granted a new trial when it was within their discretion. He carried the case to England, when the Privy Council reversed the decision of the Quebec Court, and allowed the verdict to stand, as originally, in favour of the plaintiff. He has drawn attention to the fact that the Appellate Courts in England are not limited in this way. There is a case at present in Court—that of an engineer on one of the railways. At first he obtained a small verdict that he thought fair. The Court set that aside and granted a new trial. Then he obtained a larger sum for personal injury; but the Railway carried the case from Court to Court, although the only question is whether there ought or ought not to be a new trial. The object of having this Court is that people may have an opportunity of bringing their cases to it if they are inclined to do so. As long as that section stands, there is a certain class of cases that is cut out, and in regard to which the Court has no jurisdiction. The amendment I propose to make is nearly in the language of the Ontario Act in that respect.

MR. BLAKE: The observations of my hon. friend lead to the conclusion that it will be better that the amendments should be printed. We may have to consider,

perhaps, the nice question, as far as other Provinces than Ontario are concerned, of jurisdiction. These clauses are, according to my memory, substantially similar to those which regulated the powers and duty of the Courts in Ontario, and, therefore, the Appellate Court may be said in acting on them to be exercising an appellate jurisdiction, because it is ordering that which this Court below should have ordered. We may have to consider whether the power of the Courts of first instance in some other Provinces is equally great, and how far it may be giving original jurisdiction, or creating confusion, to give the Appellate Court a power to make amendments which the Court below had not, according to the Provincial law, the power to make. I merely throw out this suggestion in order that the legal members of the House from other Provinces may have an opportunity of looking at the clause with that question before them. I quite agree with the hon. gentleman that we ought to give to our own Court of Appeal power to entertain appeals on all grounds on which there may be a power to appeal to the Judicial Committee.

MR. McDONALD (Pictou) : It is desirable that the clause should be printed, and I think it will be found that there will be no difficulty with reference to the jurisdiction of the Courts below. In my own Province I anticipate no difficulty whatever on that ground, and I fancy that the legal members of the House from the other Provinces will concur in the opinion that no difficulty will be found in the clause as at present proposed.

*Progress ordered* to be reported.

*House resumed.*

(In the House.)

*Progress reported.*

#### INSOLVENT INSURANCE COMPANIES WINDING-UP BILL — [BILL 18.]

(Mr. Ives.)

#### SECOND READING.

*Order for second reading read.*

MR. IVES : The repeal of the Insolvency Laws and the rather uncertain financial condition of several Insurance Companies that are now doing business in the Dominion, render some machinery for the winding-up of insolvent Insurance Companies absolutely necessary. I ap-

prehend, therefore, that there can be no question as to the propriety of the second reading of this Bill. After it has been read and referred to a Select Committee, and is returned to the House with their report, it will be the proper time to go into a more lengthened discussion of its provisions. It may not, however, be inexpedient, as it is a very important measure, that I should briefly state some of the points which are raised by the measure, with the view that some general discussion may take place in the House for the benefit of the Select Committee to whom the Bill is to be referred. In the first place, I apprehend that discussion will be more likely to arise with reference to the following provisions of the Bill : First, with regard to Insurance Companies which shall be deemed to be insolvent and liable to be wound up by the provisions of this Act ; second, as to whether sufficient care has been taken in the measure to guard the interests of the company and the interests of the public, with reference to the issue of the writ ; third, as to whether the provisions of the measure which give the Judges primary jurisdiction in all matters, or nearly all matters, arising under this Act, is the correct principle to take, or whether we should follow the principle which formerly obtained under the Insolvent Act, of allowing the creditors to decide the matters which are necessary to be decided under the provisions of this measure. Having had some experience of the working of the Insolvent Act, my own preferences are in favour of leaving the questions to be decided under this measure principally to the Judges of the Courts. This measure provides that, with regard to whether a writ of attachment shall issue or not, whether a receiver shall be appointed or not, whether an accountant shall be appointed or not, and who the receiver shall be, in case a receiver is to be appointed, shall be decided by the Judge, after having taken the advice of the creditors and stockholders, who may be called together by notice, as provided for by the Bill. It seems to me that it will be found to work more satisfactorily to leave the decision of this question to the Judge, subject to the right of appeal, than to leave it to be decided by a meeting of the creditors, or stockholders, of the company. Now, the in-

MR. BLAKE.

terests of the creditors and the interests of the stockholders are almost certain to be opposed with regard to whether a company shall be wound up or not, and with regard to the manner in which shall be wound up. It would be necessary, therefore, to give power to the Judge to decide between the conflicting advice given by creditors and stockholders, and therefore I think it best, although this will be a matter for the House and Committee to determine, to provide that meetings of the creditors and stockholders shall be convened by the Judge, and be held before him, and that he shall have the power of deciding questions, subject to appeal to a higher Court. This is a matter, however, about which I think it desirable that some expression of opinion should be given by the House, for the benefit of the Committee to whom I propose to move that the Bill should be referred. Then, again, with regard to when a company shall be deemed liable to be wound up under the provisions of this Bill. The 2nd section of this Bill is precisely the same as Section 3 of the Act which it repeals, cap. 21, 41 Vic. There is no change in the law. It provides that a company shall be held to be insolvent which fails, for the space of sixty days, to pay an undisputed claim which is due, or which fails, for sixty days after judgment has been rendered against it, to pay a claim adjudged due. Section 3 of this Bill is a new provision, which I think to be a very necessary and important one. In my own practice, I have known Insurance Companies that have been in the habit of leaving it for months uncertain as to whether they did or did not contest a claim, and it has sometimes been found necessary for the party insured, who has suffered a loss, to bring a suit and to see the defendant's plea in order to know whether the claim was really contested or not, and to know the ground on which it was contested. Section 3 provides, therefore, that a claim shall be held to be undisputed after it becomes due, unless the company gives notice to the party who has suffered a loss that it is a disputed claim, in which case they are also required to give at the same time the reasons for which they contest the payment of the claim. From that moment it becomes a dis-

puted claim, and the insured party can take his remedy, either by action at law or by dropping the claim. A claim is held to be undisputed until they do give notice. They can give it any time within sixty days. The sub-section of that section requires that an annual return shall be made by all Insurance Companies doing business in Canada, of claims paid by them during the year, and of all claims resisted by them, with the ground upon which such claims were resisted. Now, it is a fact that some companies, to their credit, deal fairly and honestly with their clients, and, when an honest loss is sustained, their endeavour seems to be to adjust that loss and to pay it as soon as practicable. I think it right that such companies who deal in this equitable manner should receive the advantage, as it were, of an advertisement of the fact. On the other hand, there are some companies that, when a loss is sustained, seem only to ask the question as to whether payment can be awarded; then their next object is to ascertain for how small a sum they may be able to compromise the claim. Therefore, I think it desirable, when we are upon this subject, that some provision should be made for an annual return to be furnished to Government by all companies doing business here of the claims paid by them during the year, and the claims resisted by them, with the grounds upon which they have resisted payment. The 4th section provides that the hon. the Minister of Finance may take the initiatory proceeding necessary to wind up an Insurance Company. As the law now stands, the Government seems to be entirely powerless in the matter, and a company may go on doing business with an impaired capital or without any capital at all, and the Government, with whom the deposit has been made, seems to be entirely powerless to take any steps to wind up the company. This section provides that the hon. the Minister of Finance, or any creditor, may take the necessary steps to obtain the writ of attachment. The execution of the writ is provided for by Section 5; and Section 6, with its sub-sections, provides the procedure with which the writ may be contested by the company, or under which an adjournment of the proceedings may be had before the Judge upon appli-

cation from time to time, until it shall become perfectly apparent to the Judge that it is necessary that the company should be wound up. For instance, if an application is made for a writ of attachment, the Judge has the power to adjourn the proceedings upon the application for a writ for a period of six months. He may or he may not appoint an accountant to investigate the affairs of the company, that accountant to report to him not later than six months from the date of the application. Upon that report being furnished, he may still further adjourn the proceedings upon the application for a writ, or he may appoint a receiver, or he may order the issue of a writ of attachment. If the writ of attachment issues without any adjournment of proceedings, the Bill provides for a contestation of the writ by the company. If, however, the writ of attachment does not issue until after one or more adjournments, I have thought it not necessary that there should be any provision for the contestation of the writ. The Bill provides that the Judge, upon the appointment of a receiver, may order the manner in which the company shall be wound up. The 11th, 12th, 13th, 14th and 15th clauses make similar provisions to those contained in the former Act. Machinery for the sale of the real estate of the company is provided, the protection of privileged creditors is secured, and the powers of the receiver are fully defined. The parts which it appears to me are not open to discussion are: as to what should constitute insolvency on the part of an Insurance Company in the first place; and, in the second place, whether the procedure to be taken should be determined by the creditor or the stockholder, or both, or by the Judge. After having taken the advice of one or both of these classes of persons, my preference is in favour of leaving the matter with the Judge after having taken the advice of the stockholders and creditors, and giving to all parties the right of appeal to a higher Court.

MR. McDONALD (Pictou): The House, I hope, will allow the Bill of my hon. friend to be read a second time, and have it referred to the Committee on Banking and Commerce, where the provisions of the Bill can be carefully examined. There are some of the provisions of the Bill that I dare say will cause some discussion, and probably some amendments

will be proposed. I take it for granted that the House will agree with my hon. friend and with me that the principle of the Bill is a good one.

MR. WHITE (North Renfrew): I do not propose to offer any objection to the second reading of the Bill. But I shall feel bound to move at a future step to amend the 21st clause. I find that this clause is almost an exact counterpart of Section 12 of the Act of 1878. The hon. member for West Durham will, I think, recollect that, when that Bill was before the House, I contended that the interests of a certain class of creditors were not recognised. The hon. gentleman did recognise the interests of that class of creditors in the Bill of 1878. I refer to the policy-holders. I believed that these persons, when the company whose policies they held had become insolvent, should be entitled to re-insure without the consent of the company from whom they held their policy. It seems to me, however, that, if the principle be conceded at all that the policy-holders in an insolvent Insurance Company are entitled, under certain circumstances, to re-insure without the consent of the company whose policy they hold, they should be entitled to claim for premiums from the time such re-insurance is effected. If the Bill comes back from the Committee with the clause in question as it is at present, I shall propose on the third reading the striking out of that clause, and the substitution of a suitable amendment.

MR. BLAKE: Of course, I do not object to the second reading of the Bill, because I have already said that it is essential to provide for the liquidation of this class of corporations. I wish to say, however, that I should have preferred the Government to have adopted the course adopted by the late Government with reference to the existing Act. I framed that law, but, after its introduction, it was adopted by and prosecuted under the responsibility of the Government of the day. In that measure, in regard to special particulars which the condition of insolvent insurance companies require, particular and special treatment was of course involved, but to all other particulars the General Insolvent Law was applied. As I understand the hon. gentleman who has introduced this Bill, he deals with the whole question,

not merely with the exceptional circumstances to which I have referred, and which were grappled with for the first time by the present Act, but also with the other points which had been settled by the Insolvent Law. It seems to me that a measure involving so momentous and important interests should be taken under the charge of the Government.

MR. GUTHRIE: I notice that the hon. member for Richmond and Wolfe (Mr. Ives) has introduced another Bill, making provision for the winding-up of insolvent incorporated banks and other companies, and I think it worthy of consideration whether, instead of having two separate measures—one for insurance companies and one for incorporated banks and other companies—one measure could not be made to answer for the purposes of all. It is absolutely necessary, in the public interest, that some such measures as those before us should be passed. I think, however, upon examination, that it will be found that a great many provisions of the Insolvent Act will have to be incorporated in these Acts which the hon. gentleman has not inserted. The machinery provided by those two Bills is, I think, too meagre. There are a great many contingencies that will arise and which will have to be considered, for which no provision is made in the Bill. This, perhaps, is a matter for the Committee to deal with, but I would strongly urge upon the hon. the Minister of Justice the propriety not only of adopting the suggestion of the hon. member for West Durham with regard to this Bill, but also with regard to the other Bill for the winding-up of banks and other companies, so that we may have one measure for all classes of companies, and that measure introduced, or at least carried, through the House with the sanction and on the responsibility of the Government.

MR. McDONALD (Pictou): The observations of my hon. friend are well worthy of consideration. It would be desirable, however, to have the Bill proposed by the hon. member for Richmond and Wolfe submitted to the Committee on Banking and Commerce, and, after examination and discussion there, it will be time enough to determine the mode in which the measure shall be subsequently dealt with. That I believe is the usual mode of procedure, when the

matter is of sufficient importance to be dealt with in the way suggested by the hon. member for West Durham (Mr. Blake).

MR. IVES: I think it will be found, if not impossible, at least inconvenient to incorporate the two Bills in one, for the reason that the provisions with respect to the insurance companies, particularly Sections 21, 22, 23, 24 and 25 are very important and applicable to insurance companies only. There would, it will be found, be greater difficulty in framing one measure than there would be in obtaining the necessary legislation in two separate Acts.

*Bill read the second time.*

PUBLIC FUNCTIONARIES' SALARIES  
REDUCTION BILL — [BILL 56.]

(*Mr. Béchard.*)

SECOND READING PROPOSED.

*Order for second reading read.*

MR. BÉCHARD: In rising to move the second reading of this Bill, I do not lose sight of the difficulties which stand in its way. I can well understand that the reductions contemplated by this Bill constitute a subject very delicate to approach, for it conflicts with regulations established in former years, and which seem to be shielded by the sanction of time. I also quite realise that it is not altogether an agreeable task for any member of Parliament, nor an easy undertaking for one not holding the position of a member of the Cabinet, or of the leader of a party, to attempt to have reduced by Parliament, salaries and allowances which Parliament has fixed years ago, and which are attached to positions that can be filled only by men of high standing or men of first rate talents, whose services it is the best interests of the country to secure. But, while I am quite prepared to acknowledge the difficulties and serious obstacles which this Bill has to contend against, I entertain the hope that the House will be willing to consider it with that sense of justice and fairness, and that patriotism which ought never to fail to guide Parliament in dealing with questions of great gravity. What this Bill proposes is no new thing, and hon. members will convince themselves that it contains nothing new, if they will consult the past record of the Canadian Parliament. They will find that, in the Session of

1859, the late Major Campbell, then representing the constituency of Rouville, introduced a measure to reduce the indemnity of members of Parliament to \$3 per day, if I am not mistaken. They will find that, in 1865, Mr. McConkey introduced a Bill also reducing the indemnity of members, and they will find that Mr. Chamberlain, who represented Missisquoi, in this House, introduced, during the Session of 1868, a similar Bill, to reduce that indemnity. Hon. members will also find that, in the course of that Session, the House, on the recommendation of the Committee on Contingencies, which no longer exists, adopted a resolution reducing by 12½ per cent. the salaries of a certain number of public officials. Lastly, they will find that during that same Session, a Bill passed Parliament reducing the Governor-General's salary to \$32,000. I make these quotations to show that this Bill contains no innovation. What is proposed is simply a return to salaries and allowances which had been found sufficient before Confederation, and were found as such after Confederation, until the year 1873. Now, Sir, I wish it to be well understood by the House, that that Bill is not intended, and must not be interpreted, as being in the least possible degree a censure of the measure which passed Parliament in 1873, and by virtue of which certain increases took place. That Bill was enacted by the unanimous vote of the House, not a dissenting voice being raised against it. I was a member of the House then, Sir, and as such I have my own share of responsibility with regard to that measure, and since then I never did attempt, nor do I mean to ever attempt at any future time, to escape that responsibility. I consider that there were then justifiable reasons for Parliament to make those increases. In 1873 we had reached a period of very great prosperity, the price of labour of every service, of every commodity of life, had attained an unusually high rate, the several classes of our people were thriving, and lived contented and happy, our public revenue was continually increasing, and every financial year was crowned by a considerable surplus. But, Sir, that brilliant period has vanished away; the great prosperity we then enjoyed has given way to disastrous depression.

MR. BÉCHARD.

SIR JOHN A. MACDONALD: It has come back again.

MR. BÉCHARD: We have been from year to year expecting it in vain. For the last few years, instead of seeing prosperity, content and satisfaction amongst our population, we have been witnessing a disheartening distress, which is driving them out of the country by thousands; our public revenue, instead of continuing to increase, has been decreasing in considerable proportions, and our large surpluses have been replaced by large deficits. This state of things is well known to everybody, and no one will pretend that, in describing it, I give too much colouring to the picture. Now, Sir, I ask you if, under such circumstances, or rather, after such a change in the circumstances of the country, I am not right in saying that, while there were justifiable reasons in 1873 for Parliament to make certain increases, there are equally good grounds to-day for Parliament to make certain reductions. We have been told, since the opening of this Session, that efforts have already been made in some directions, and that efforts are to be made in other directions, with a view to serve the purposes of economy. Well, let me observe here that, should this Bill become law, it would assist, in a large measure, to obtain that amount of economy which is intended to be reached. This country is loaded with a large Public Debt, the yearly interest on which reaches the amount of \$7,000,000, which constitutes nearly one-third of our revenue; we have great public works to perform, whose completion will involve an enormous expenditure; and, with such a prospect before us, I think Parliament ought to be disposed to curtail expenses in the administration of the public affairs of this country, in every branch of the Public Service, wherever it can be done without inconvenience. I do not pretend that this Bill is perfect, or that it is a model Bill; some of the reductions indicated in it may be considered too large, others may be judged too small, but, like every other measure submitted to this House, this Bill is susceptible of being revised and amended. It is not brought forth in any hostile spirit, nor with a view to annoy anyone; but rather as a suggestion, or a friendly invitation to the House, to consider the

whole subject, in order to see whether some appreciable good could not be obtained from the several provisions of this measure. After these few remarks, I most respectfully submit this Bill to the fair consideration of the House.

SIR JOHN A. MACDONALD: Does my hon. friend intend the Bill to have a retroactive effect?

MR. LANDRY: I hope the House will give me the indulgence I want while I make a few remarks on this very interesting, but at the same time, very delicate question. I know I would do more justice to the subject if I were to speak in French, but I will follow the example of my hon. friend from Iberville (Mr. Béchard) and speak in English. A few days ago, when the Bill came in to put down the Supreme Court, the hon. member for Iberville sprang up, spoke in favour of the Supreme Court, denounced the Bill demanding its abolishment as a radical measure, and for that reason said that he would put his vote against it. Well, if the hon. member knows anything about logic he will, no doubt, be the first to enter his vote against such a measure as the one that is now before the House, for there never was such a radical measure brought before Parliament. It is true, as the hon. gentleman says, that it may be revised, and I hope it will be revised, for I intend, when this Bill is referred to a Committee of the Whole, to bring forth some amendments which will please the hon. members of this House, and which will most especially meet with the views of the hon. member for Iberville. My hon. friend went back into the past; he went back to 1859, 1865, 1868, and told us all that was done in those years in relation to the subject we are now discussing. But I believe that his statements were not all correct, and to point out but one error, let me remind you that the hon. member said that in 1868 a Bill, on a similar subject, was brought before this Parliament and carried. Well, I have serious objections to accept such a statement, and I have very good reasons to think and to affirm, that the Bill alluded to by my hon. friend was never passed by this Parliament.

MR. BÉCHARD: It was not passed.

MR. LANDRY: Oh; it was not carried. I am happy to hear the hon. gen-

tleman correct himself, and say it was not carried; but if it was not carried, I do not see why the hon. gentleman should bring it, and rely on such a measure to authorise the present introduction of his own Bill. It is true that, having a little idea of the false step he is now making, my hon. friend has managed to secure the indulgence of this House in saying that his measure was only the result of individual initiative, and that, he being neither a Cabinet Minister nor a leader of Parliament, his measure could not assume that importance he could desire for it. Well, I may add to that consideration that such a Bill in the hands of my hon. friend will never gain any importance, nor will he deserve by its introduction in Parliament to ever be a Cabinet Minister or any leader of Parliament, and the future will certainly give approbation to this present assertion of mine. The hon. member for Iberville, in order to answer in advance an objection which his own doings in the past raise up to his mind and to his present measure, says that in 1873, when the salaries of the different members of this House and those of the Senators were increased, the country was prosperous, but that since those days the country went into ruin, and deficits have replaced large surpluses. If the hon. gentleman is so sincere in bringing forward this Bill, and if the motives of his conduct could only be found in that patriotic idea and good will to help his country in that way, when commenced the period of ruin and deficits? I am astonished, and more than one would be, that the hon. member did not feel before this day those patriotic starts which bring his Bill before Parliament only in 1880. Why did he not start up in 1874, in 1875, in 1876, in 1877, and in 1878, during the last Session of the late Parliament? Why did not his restless soul then search that pure source of the purest economy? It is true my hon. friend was not then a leader of Parliament, nor a Cabinet Minister, but his friends were in power, and I think he might have succeeded, being at the time a man of so great an influence he would undoubtedly have succeeded, in getting all his friends and the members of this House and all the Senators and the Governor himself to reduce their salaries. It has been said, and I believe



the assertion to be true, for the hon. gentleman has himself made some declaration to that effect that the hon. member for Iberville was not as sincere as we may think. What have we seen? Last year a similar Bill was introduced by the same gentleman, but just in time to come too late. This year, the Bill makes its way at an earlier period, but my hon. friend has added to it a new clause, by which it is enacted that the salary of the Governor-General will be reduced to \$35,000. Well, the hon. member knows very well that the attempt, tried in 1868, to reduce to that sum the Governor-General's salary, met with a complete failure, and that the Royal Assent was refused to such a Bill, and, notwithstanding such a lesson—we had better say just for that reason—here comes again a Bill containing a similar clause, fatally consecrating its author to the same unsuccessful result which he knows and which he desires. And, knowing those things, and desiring such a failure in his ridiculous attempt, the hon. member springs up to speak of his patriotic views and feelings, and of his patriotic measure. Well, if that is patriotism, if that is the patriotism of the hon. member of Iberville, the least he may say on that question the better. The hon. member knows well that, if the clause concerning the reduction of the Governor-General's salary remains in his Bill, the Bill will be choked, and I have no doubt that the hon. member has already asked some of his friends to do that work for him in the Senate. I also believe that, notwithstanding that result, the hon. gentleman will have the audacity to go before his people of Iberville and tell them that he tried all that he could to force the adoption of his Bill, but that the hon. Senators or the Governor-General himself, those enemies of the people, have refused to adopt so patriotic a measure; but, while he will be on that subject, let the hon. gentleman tell his constituents that in 1873 he was one of the first members in this House to sign, and get others to sign, a paper by which the majority of the members at that time urged the Government of the day to increase their indemnity. My hon. friend has signed such a paper. Let him deny this information if it is not true. I know it has been said by the hon. gentleman that, in 1873, he had many

good reasons to justify him in raising his indemnity, and one of them was that the country was then prosperous. But, now that the National Policy has given us such good times, I do not see why the hon. gentleman should try to impress on our minds that we are worse than in 1873. I do not see why he should try to have the public to believe that we are returning to those bad times of 1874, 1875, 1876 and 1877, that we are going back to those days of misery, of depression, of bankruptcy, of deficits. I do not see, from all he has uttered to-day, that these evil days are coming back again. At all events, and whatever may be our appreciation of the present financial situation of the country, the hon. gentleman may always have an opportunity to prove the sincerity of his patriotism; if he is as patriotic as he pretends, if he really wants to do so much good to his constituents, we will afford him every chance of doing so, and, if the Bill is entertained, as I hope it will be, for I approve of the principle of economy it contains, I will, in convenient time, put as an amendment that the hon. member for Iberville be not allowed to take more than \$600. But, if the hon. member is in search of easy popularity, let him not wait for that legislation, but give every year to his constituents the \$400 he thinks he is unjustly taking, and, no doubt, by acting so patriotic a rôle, he will compel his constituents to elect him *usque in æternum*, provided he lives to that date, or that the people of Iberville do not make up their mind and choose a \$1,000 worth member in the place of a \$600 one. I understand that we must always try to do as much good to our country as we possibly can, and by every possible means. On the other hand, I think that it is prudent not to undertake too much at one time; we must not use too great an effort at first, but progress by degrees. When the child first begins to walk, he takes his steps slowly at first, and, as he tries more and more, he comes to walk easier and easier. Well, we will act in a similar mode here, and accept the lessons that nature gives us every day, and, in so far as the measure of my hon. friend is concerned, I think that its first application should be limited to the hon. member for Iberville himself. If the hon. gentleman does not complain

of that new state of things, if he finds it sweet and nice, if he is able to swallow the pill without making too wry faces, well, we certainly will, after a few Parliaments, do the same thing; but, if he makes any complaint, if he does not find the measure pleasant for him, if it pains him, or if it kills him, I do not see why we should find it pleasant for us. So long as he will prove that that measure will not be beneficial to him, we shall not find it beneficial to us. I will not move any amendment to the principle of the Bill, for, as I have said, I approve of the principle of economy it involves, but I will, when the House resolves itself into Committee of the Whole, propose the amendment of which I gave notice, and, with that understanding of what I intend to do, I believe that all the hon. members of this House will give their assent to this splendid legislation, which is to bring relief to Canada, and convert all possible deficits into surpluses.

MR. WHITE (North Renfrew): I confess I feel somewhat surprised that the hon. member for Iberville has allowed all these years to pass, since 1874, without any attempt to bring before Parliament this measure. We all know that although that hon. gentleman did not occupy the position of a Cabinet Minister or leader, he possessed a vast amount of influence, and he was a very prominent member of the party that occupied the Treasury Benches from 1874 until 1878. It seems to me that, if he was sincere in the desire to bring about the economy now proposed, he would have submitted this measure to the House when it was known, in 1877, that a large deficit had occurred between the revenue and expenditure. It may be the hon. gentleman felt that the hon. gentlemen who then occupied the Treasury Benches were entitled to a larger remuneration for their services than their successors, and thus deferred the introduction of his Bill until the present time. Whatever may have actuated him or been his reason for delay, it seems to me that this Bill ought to receive the serious consideration of the House. It ought not, in my opinion, to be treated in the light, cavalier manner of the hon. gentleman (Mr. Landry) who has just spoken. I am convinced that it is absolutely necessary that every possible effort should be made

to reduce the general expenditure. I am not disposed to say the occupants of the Treasury Benches should have their salaries reduced; I believe the time they give to the service of their country merits as large a salary as is paid; but I think we might very fairly consider, as members, whether it is not our duty, representing as we do the people, many of whom feel and have felt the pressure of the hard times the last three or four years, to consider whether we could not submit to a reduction in our own Sessional indemnity. I am prepared to vote for the second reading of the Bill, for its principle, though I think some parts are objectionable, and in my own person I am ready to submit to the reduction of the Sessional indemnity proposed therein.

MR. LONGLEY: It occurs to me it is scarcely doing justice to the introducer of this Bill to impute to him unworthy motives. I am willing to assume his motives are good, as I think there are a number of members who will, in the main, agree with the proposals of his Bill. I think that nothing, perhaps, is more needed at this period than the introduction of what I will call economical reform, which should begin at the head and descend to the foot; that it should be equitable in all its parts and relations. I think, if that were done by the existing Administration or Parliament, that great credit would be accorded to them by the people of this country. I am free to confess this is the mode sometimes taken to secure cheap popularity; but I am not willing to conclude that that is the object of the mover of this Bill. We have been going on, during the last ten years, at a pretty rapid rate, increasing our annual expenditure; and if we go on for ten years more at the same rate, it might be profitable for all of us to enquire where we shall land. Now, it may not be possible at this stage to stay the progress of public works. We are, seemingly, laid under the necessity of going on—some think to destruction, and some think to ultimate triumph and success. It is a little problematical what will be the end. But it is within the compass of our means to reduce the annual expenditure of the country, and I am free to avow that in my judgment the annual expenditure of the Dominion during the last five or six years should not have ex-

ceeded \$23,000,000, and that for the five years to come it should not exceed \$25,000,000, which it will, unless some means of reduction are adopted. The principle of economy should be applied from the beginning to the end—to the head of the Government, to the Ministers and the officials all down through, and to both branches of the Legislature, in a proportionate ratio. I think the reduction proposed by the mover, as a fair indemnity to members, is rather liberal and disproportionate. I am not here to make political capital, but just to speak my sentiments. In my judgment \$800 would be about a fair sum, which I would be willing to stand by and make it retrospective or retroactive. But it is pretty evident that nothing but failure will attend this movement of my worthy friend from Iberville (Mr. Béchard). He deserves credit for his boldness, however. This matter should be taken up by the Administration, honestly and sincerely, and carried through Parliament. No private member can hope to carry it through. This is, all will admit, a measure of very great delicacy. It certainly would be an exceedingly delicate matter to propose reductions in certain quarters, but they should be made, and the extravagant expenditure in high places controlled. If we were free to speak out here, we could be very much more explicit, but it is not called for at present. I do not wish to be understood as censuring the Ministry of the day in the remarks I have made, but, to a certain extent, perhaps, I might censure it. It was among its first duties to have taken up this question. It seems to me we are being almost legislated to death. Look at the salaries of the Lieutenant-Governors to begin with, six or seven getting \$9,000 apiece, eight in all. It is but a trifle, it is true, in comparison with certain other expenditures; but, when you consider the expenses connected with the various Local Governments, and think what a tremendous expense is incurred in running this machine, it does seem to me we should be impressed with the folly that has characterised our action for years past, and about as much now as heretofore. I have been induced to make these statements now, but they are views I have entertained for a good while past. I

MR. LONGLEY,

should like to see this matter taken up in a bold, yet calm and temperate way, that we might elicit in some fair measure the real sentiment of the House. It is in vain for us to talk about reducing expenditure here and there, and the salaries of subordinates, who have barely enough to live on, while we refuse to clip our own emoluments. We shall not be credited with any sincerity unless we show a willingness to apply the pruning-knife to our own receipts. I believe we should considerably reduce our annual expenditure, and if we do not do so, we shall be brought to grief in the not very far future.

MR. BOULTBEE: I feel, like the hon. gentleman who has just sat down, that this is a matter of the very greatest delicacy, and that we must be very careful how we deal with it. I also agree with him that it is highly inexpedient to apply the pruning-hook too closely to ourselves. I think it would be a good thing to reduce the salaries of the Governor-General and the Premier and all his colleagues, in fact, as Artemus Ward says, "the pay of all ones wife's relations." But as to the amount of work that we do, and our value to the community, I cannot agree with that hon. gentleman, particularly when he says we should be satisfied with \$200 a year. He wants a reduction of \$800, to leave us only \$200. I do not know where he boards, but if he lived where I do, he would have to leave his clothes. I think that would be applying the pruning-hook a little too closely. Various ideas suggest themselves to me on this occasion; I have thought that perhaps, with the relative strength of parties in the House, we should pass a measure making the indemnity to members of the Opposition \$500, although they might retaliate when in power some future day; that also makes this a delicate question. All those considerations make its settlement a matter of immeasurable difficulty. I shall simply recommend for the present that the matter be left alone, and that the Government, if inclined, try to make a saving on their own salaries.

MR. LONGLEY: I simply rise to make an explanation. I do not know whether the hon. gentleman who has just sat down was joking or not. Perhaps he was indulging in that vein so characteristic of him, and perhaps he misunder-

stood me. I do not wish to be misunderstood. I said nothing about reducing the indemnity of members to \$200, but that I thought \$800 about fair. I would not propose anything so absurd as to reduce it to so low a sum as \$200. If I went so far as that, I should say we might do like some similar bodies, serve for nothing—then members might leave their clothes or not, as they pleased.

MR. JONES: Some hon. gentlemen are inclined to treat this matter as a joke. I think they will find in the end that it is not much of a joke. I believe that, in 1873, a similar motion was made with regard to a general reduction of salaries. Sir John A. Macdonald's Government, who made that move, was rather unfortunate, having had to walk out; the hon. member for Lambton, who succeeded him, did not take up that question or go into the matter. I think, with the hon. member from Renfrew (Mr. White), that this Bill should be read a second time, and go to Committee for proper discussion. In the canvass through my county, matters like these were spoken of by the people. Hon. gentlemen here may imagine that the hard-working people of this country, many of whom think that \$300 or \$400 is a very good sum to live and support a family on for a year do not think anything of our indemnity, of \$1,000 a year. I can tell them those people do think a good deal of it, and think we are pretty well paid. In order that we may study economy, though I think the times are going to be better, I should favour action in accordance with the views of the people in my constituency, for a general reduction of the expenses of government. I think we can reduce in many instances the salaries of officials as well as the salaries of members of the House of Commons, and the salaries of members of the Senate. I have received letters since the Bill of the hon. member for Iberville (Mr. Béchard) was placed before the House in regard to this matter, asking me to support it because during the last campaign a reduction of the salaries of members of the House of Commons and of the Government was advocated. The letter is marked private but I will read it. It is as follows:—

"I have received Mr. Béchard's Bill. There is a strong feeling in this Riding that members'

indemnity, and salaries generally, where it can be done, should be reduced. You advocated it during your last canvass, and I hope you will speak in its favour on the floor of the House."

When we look at the expenses of the Government of the country, at the expenses of the House of Commons and of the Senate, something like five hundred and odd thousand dollars per annum, and the expenses of the legislation of the different Provinces, somewhere about six hundred thousand dollars, something should be done to make these expenses less. How it should be done I cannot tell. For my part I am willing to take off, not \$200, but to reduce it to \$400 or \$500. That is my opinion; and, if the hon. gentlemen occupying the Treasury Benches are too hard-worked, if they do not think it consistent with the duty they have to perform to reduce their expenses, well and good. I think, however, they should be reduced. I believe that the agitation for legislative union will become very strong, and I think the sooner we come to it the better, for the sake of economy. I hope the Government will allow this Bill to go to a second reading, and before a Committee, and that they will not treat it as a joke. It is no joke at all; and for my part I rise here seriously to advocate the Bill, with such alterations and amendments as may be thought advisable.

MR. ARKELL: I do not rise with the intention of opposing the Bill, but as only half the members are at present in the House, I think it inadvisable to discuss it now. I quite agree with what the hon. member has said who has just sat down. I think we are legislated to death, and I would like to see all the Local Legislatures of this country wiped out. So many bodies with legislating powers add vastly to the expenses of Government. The reductions, however, proposed by the hon. member for Iberville (Mr. Béchard), are only drops in the bucket. It seems to me he is commencing at the wrong end. I move the adjournment of the second reading of this Bill, so as to have a better attendance of the House when this matter may be fully discussed.

MR. SNOWBALL: This has been on the Paper before the House for some time. The members knew it would be up this evening; it is their fault, not that of the

mover of this resolution, if they are not in their places. I fully endorse the principles of the Bill. I think that the expenses of legislation are entirely beyond all bounds; they have been increased from year to year, and I do not see that the hon. member for Iberville should be blamed for not bringing the Bill forward before. It was not unreasonable for us to keep looking for a return of prosperity, which would justify additional taxation; but that prosperity did not return, and it is high time to do something to reduce our expenditure. When the people of this country look at the expenses of legislation, and find, as has been stated by an hon. member, that these expenses now approach a million of dollars—he may have stated the sum rather fully, but I find it about three-quarters of a million—they may well be alarmed. When the hon. gentlemen opposite came into power, a year ago, instead of economising, as they should have done, I find, in looking over the returns put before us, that, for 206 members sitting in this Chamber, there were 207 clerks and messengers. Is this country to pay for 207 attendants to attend upon 206 members? It is no wonder the country complains. It is a mystery to the members on this side of the House what these 207 attendants and clerks find to do. Some hon. gentlemen opposite are said to have two or three secretaries or clerks each. The seventy members on this side of the House, I venture to say, have not had the services of ten of these persons, and I think the remaining 197 were rather too many for the other side. It is quite right that we should attempt to reduce expenses in the way this resolution suggests, and until you apply the reduction in this Chamber, the people will not be satisfied that we are in earnest. I, for one, Sir, think it is about time that Canada found 206 legislators willing to serve their country without a money consideration, and if this was accomplished, we would be freed from many of the evils of which we now complain.

MR. ROBERTSON (Shelburne): This has been discussed amongst the electors of my constituency, and when the present Government came into power last year we were prepared, seeing the enormous deficits that had accumulated, to find some measures of economy introduced into the

various branches of the Public Service. I believe we should commence at the head of the Government, and from that downwards to all the various Departments. I hold in my hand a statement of the expenses in connection with the Governor-General's establishment since Confederation. It shows salary \$600,000, and expenses \$900,000, making \$1,500,000 in all. Not only the salary of the Governor-General, but those of the Ministers, of the Civil Servants, and also those of the Senators and members of Parliament should be reduced in proportion. There are many officers and many men in the Civil Service who faithfully perform their duties, but there are many others who, if called upon to perform outside work, would not earn a tithe of their present income. I am in favour of the principle of the Bill introduced by the hon. member for Iberville, although some of its provisions may be improved, and I hope it will go to a second reading and to Committee. I think we should adopt the motion made for adjourning the debate. To-day's trains carried away a large number of members, and I believe they should be here to record their votes and not make us responsible. It looks very much like shirking the vote, and it would be better when it comes up that they should all be present, so that every man, from the leader downward, shall have an opportunity of recording his vote upon it.

MR. BERGIN: It is quite evident that the hon. gentleman who has just spoken, is afraid that, even in this thin House, a vote may be recorded in favour of this Bill. I do not think he need feel any alarm; the Bill will not be carried. I was one of those who signed the round-robin which forced the then leader of the Government to increase the salaries of Ministers, and the indemnity of members of this House; and, if my memory serves me right, the hon. member who now introduces this Bill is the gentleman who placed that paper before me.

MR. BÉCHARD: I must say that the hon. gentleman is totally mistaken; I was not one of those who circulated that paper at all.

MR. BERGIN: May I ask the hon. gentleman did he sign it?

MR. BÉCHARD: I did assent to it. I admitted, in my opening remarks, that I had my share of responsibility with

regard to the measure referred to. I well recollect that a couple of gentlemen asked members to give their assent, beforehand, to that measure. By whom had they been sent? I do not know. But I assented to the proposition, as did every other member of the House, with very few exceptions.

MR. BERGIN: I see no reason, having signed that document, and believing then that the indemnity was necessary and proper, why I should change the opinion formed on that occasion. I do not believe the indemnity is too large, nor do I believe my constituents will think I am too well paid. The constituents of other gentlemen may think so, but I feel that the majority of the constituencies do desire that the members who represent them in this House shall be properly indemnified; they have a proper regard for themselves, and for the gentlemen whom they send here, and they do not desire that we should lose our time entirely, or that the money we expend in their service should not be reimbursed. I do not sympathise at all with these buncombe Bills, or buncombe motions, or buncombe speeches, nor do I think it will add to the reputation of those members to go before their constituents with clap-trapeconomy of this kind. If they are really sincere, there are proper modes and times in which to attack the expenditure, which is certainly increasing, perhaps in a greater ratio than is necessary. But this is not the way to attack the expenditure of the country. The hon. member for Iberville for five years supported hon. gentlemen opposite, while adding million upon million to the Public Debt, and he strains at a gnat though he swallowed a camel. Perhaps, Sir, it would be well that the debate should be adjourned until there is a full representation in the House, so that the country may see that it is the almost unanimous opinion of this House that the indemnity is not at all too large. I have no sympathy with those hon. gentlemen who make an attack upon the expenditure necessitated by the maintenance of the Governor-General and his staff and his establishment. Neither have I any sympathy with the attack that is made upon the salaries of members of the Cabinet. On the contrary, I do not believe that the Premier and the members of his Cabinet

are sufficiently paid. I said so in 1873, and I say so now. We know that many hon. gentlemen who come to this House do so at great personal sacrifice and at a great financial loss. Many of them, in fact, destroy their private interests, and those who have had large professional emoluments before entering upon political life, in a few years lose them entirely. Is not that a sufficient sacrifice to call upon them to make without requiring of them to defray, out of their private purse, the expense they must of necessity be at during the time occupied here in the service of the country.

MR. MACDONELL (North Lanark): I thoroughly agree with some of the remarks of the last speaker, though not with all. As my election expenses were comparatively trifling, probably I may be prejudiced in reference to the indemnities that members of Parliament should receive. I desire to state that the question of indemnity was not discussed on the hustings in the late election in North Lanark, and the action I propose taking in this matter is not intended for electioneering effect. I must, however, say that the feeling in that part of the country is opposed to the large indemnity paid to members of Parliament. There is no doubt that the members representing the Ottawa district are not put to the large expenses that hon. members from distant parts are. Still, I think the feeling of the whole of Ontario is that the indemnity of members is too large. For my own part, I would be satisfied if the indemnity were reduced to actual disbursements, inasmuch as I believe that we should come here for the honour of the position. I think the time will come when the people of this country will say the cost of Civil Government is too great for this country, and no member shall be sent to this House at the large expense of \$1,000 per Session, but they shall receive a simple equivalent for the expenses they are put to in the Capital. In the Province of Ontario, the members of the Local Legislature increased their indemnity, and an outcry was raised from one end of the Province to the other against that increase. So strong was the feeling, that the Government of Ontario had to come to the rescue, and reduce their own salaries as well as the indemnities of the

members. I do not think that this should be regarded as a political question, one way or the other, and I consider it most unfair that my hon. friend from Iberville (Mr. Béchard) should be charged with introducing this question with ulterior political motives. Every hon. member in the House should be prepared to express his honest views on the subject, apart from political considerations. When the Bill comes up for a second reading, and I hope it will come up for a second reading, I shall be prepared, probably, to propose that members residing near the city of Ottawa should receive a smaller indemnity than members from a distance. The fact of there being a thin House to-night I do not think we should take into consideration one way or the other. The hon. members who have left should have been here, and we cannot be held responsible for their neglect of duty. I am of opinion that the adjournment of the debate should not take place.

MR. WRIGHT: This is really a very grave matter, and my own view would be that, in the interest of the great body of the members of this House, it would be very desirable to have no indemnity at all. But, unfortunately, some of the most able members of this House are not able to give up their whole time to the service of their country, as some few might be able to do, and I think it would be a very serious loss to the country and to this House if they were not enabled to take their part in the debates of this House. With regard to the salaries of the Ministers, my own impression has been, knowing precisely the labours these hon. gentlemen have to encounter, that the sums they receive are entirely too small, and I should prefer that they were increased. I am exceedingly proud of our public men. They have all had opportunities of getting rich, and it is well understood that they are mostly poor. I think the time has come when hon. gentlemen should cease to talk buncombe, and look the matter gravely in the face. With reference to the expense incurred in regard to Government House and its surroundings, I think the less we say, perhaps, the better. For my own part, I have the greatest respect for the distinguished occupants of those buildings. In Russia, we are told that, when wolves are on the

track of travellers, the latter throw out a portion of their freight for the purpose of appeasing for a time their ravenous pursuers. It seems that the economists are now upon our track, and I am willing to make a sacrifice to them. I am willing to sacrifice our Senators, who should be above trivial considerations of a financial character, and be willing to fall back upon the dignified position which they undoubtedly occupy. I can assure hon. gentlemen that representing a constituency adjacent to the Capital is not as profitable as some of them seem to think. I do not think the indemnity is too large, nor do I think that the salaries of the Ministers of the Crown, or the high officials of the Dominion, are too large. If we are to have good officers we must pay them.

MR. THOMPSON (Cariboo): I fully agree with the hon. member for the county of Ottawa in the remarks he has made. I do not consider that the Ministers, who have to perform arduous duties, are overpaid. I do not think that the Governor-General or the Lieutenant-Governors of the Provinces are overpaid, provided they fulfil the duties they are expected to perform. I look upon this motion as mere political clap-trap, brought forward for the purpose of enabling hon. gentlemen to go before their constituents and say: I advocated economy; I was willing to sacrifice my indemnity. I will suggest a practical test to these gentlemen. Let them go before their constituents next year and say: I consider I have received \$200 too much; I consider I have received \$300 too much; or I consider I have received \$1,000 too much; and let them subscribe those sums to some charitable institutions in their respective counties. In this way they would show more sincerity than by saying: I was overpaid, but I put the money in my pocket. If they carry out this suggestion, they will have a substantial argument to submit to their constituents at the next election; and I would suggest that the most appropriate institution to which they should make their donations, being one in whose benefits they might themselves participate, would be an asylum for idiots.

MR. BÉCHARD: Mr. Speaker, before the motion for adjourning the debate is carried, I desire to say a few words in reference to what has been uttered by some

hon. members. I did not anticipate that the moving of this Bill would provoke the spiteful remarks which have fallen from the hon. members for Montmagny (Mr. Landry), Cornwall (Mr. Bergin), and Cariboo (Mr. Thompson). However, I have moved this Bill, I am responsible for it, and I am ready to abide by its consequences. I have already said that I considered it a grave matter and that, in view of the present circumstances of the country, I thought I was perfectly justified in bringing it forward. The hon. member for Montmagny said that I ought to know that the provision of the Bill which refers to the Governor-General's salary would prevent it from receiving His Excellency's sanction. Sir, the hon. member knows very well there is nothing easier than to have that clause removed from a Bill when it is disagreeable to the House; this occurs at every Session, and if this Bill be allowed to go to Committee of the Whole, let the hon. member move to strike off that clause, and I will not insist upon keeping it. I placed it in the Bill as the expression of my humble opinion that, in the present distressed condition of the country, every man holding a position in the service of Canada should be prepared to make a sacrifice for his country. The hon. member for Montmagny said that I was one of those who formerly went round and asked members to consent to an increase of the indemnity. Such is not the case. I was asked by an hon. member at the time if I would give my assent to the scheme, and I did assent to it like the rest of the House. But, Sir, my participation in the enactment of a law for which the hon. member has no responsibility, but of which he is happy to reap the benefit, and which he is defending, is a very weak argument against this Bill, and no reason why it should not receive the fair consideration of this House. The hon. member referred to the amendments of which he has given notice. Those amendments do not frighten me, and, if the House should see fit to pass them, inasmuch as they would effect me personally, I would be the last man to complain of them. Some hon. members, instead of directly facing this Bill, have preferred to attribute to me unworthy motives, and to impugn my sincerity. I have but

one answer to make to those hon. gentlemen: let them inflict upon me the chastisement which they think I deserve, by voting for this Bill. Now, Sir, it has been insinuated that I might only be seeking cheap popularity; but those who know how I stand in my constituency can say that this insinuation is without foundation. My majority at the last election was 230, out of a total of about 1,600 votes, beside the fact that I beat a man who is considered one of the leaders of the Conservative party in the Province of Quebec. Surely, after having won such a victory, a man stands above the imputation of seeking popularity. I have brought this matter forward simply from a sense of duty to my constituents and to my country.

MR. LANDRY: I have but a word to say in answer to the hon. member for Iberville (Mr. Béchard), and with respect to the amendment I intend to introduce to the Bill. There is in English a well-known proverb to the effect that it takes nine tailors to make a man. We have had an illustration of that proverb to-night, but so that this illustration may never be forgotten, but always remain in the minds of this generation, and of the future one, I propose to extend the effect of my amendment to those gentlemen who, for the sake of easy popularity, have, like the hon. member for Iberville, spoken in favour of a Bill which they pray God and their friends not to allow to become law. Six members only have taken that ground. I hope that, before the House resolves itself into Committee of the Whole, I will find out three other members, so that I may easily find my nine tailors—I beg pardon, my nine members—nothing but one. Parties who desire to join are consequently invited to give me their names. We all know why the hon. member for Iberville introduces this Bill. In his constituency, it is said, he met, one day during the last electoral struggle, a political opponent, who compelled him to promise that, if he ever got back to this House, he would introduce this matter.

MR. BÉCHARD: That is not true.

MR. LANDRY: Well, if it is not true, why did the hon. gentleman tell me so? Why did he give such an information to all his friends in this House, last year, when he first introduced this



Bill? Let the hon. member repeat that my statement is not true, and I will immediately satisfy him with such proofs that will establish who is attempting to deceive this House. As I am very serious in the amendment I intend to propose, I think with my hon. friend for East Elgin (Mr. Arkell) that this question should be allowed to be discussed another day at a full meeting of this House. For that reason I shall vote for the adjournment of the debate, but, before resuming my seat, I have to make this declaration, that I do not in any way object to the principle of the Bill. It is a sound principle; economy must be practised by all reasonable means. I agree to that principle; shall vote for the second reading of the Bill, and in Committee of the Whole will press the adoption of my amendments, to which I hope this House will give a fair trial.

Motion agreed to, and Debate adjourned.

#### CHATEAUGUAY—VACANT SEAT.

##### WRIT ORDERED.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new writ for the election of a member, to serve in this present Parliament, for the Electoral District of Chateauguay, in the room of the late Hon. Luther Hamilton Holton, removed by death.—(Mr. Mackenzie.)

##### MOTION FOR RETURN.

The following Motion for Return was agreed to :—

Order of the House—Return containing a copy of the tenders for carrying the mails between Victoria and San Francisco, from and after July next, the name of the party to whom the contract has been awarded; and also, a copy of any petition or correspondence respecting the extension of the said service to New Westminster; and that the same be laid before this House after the contract for the service shall have been signed.—(Mr. DeCosmos.)

House adjourned at  
Twenty minutes after  
Ten o'clock.

#### HOUSE OF COMMONS.

Tuesday, 30th March, 1880.

The Speaker took the Chair at Three o'clock.

##### PRAYERS.

##### WAYS AND MEANS—THE TARIFF.

##### ADJOURNED DEBATE.

House resumed the adjourned Debate on the

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proposed-motion (Sir Samuel L. Tilley): That the Resolutions adopted in Committee of Ways and Means (March 9th) be read the second time.

MR. SNOWBALL: In resuming the debate on this question, it seems to me very unfortunate that after a year's experience of this Tariff so many hon. gentlemen on this side of the House feel compelled to come forward and reiterate, in the strongest manner, the convictions they expressed last year in relation to this subject. I have been struck, during the course of this debate, by the earnestness which has been displayed by so many hon. gentlemen on this side of the House. I have also thought that hon. members on the other side of the House have not in all cases tried to meet the arguments which have been brought forward on this side as fully as might have been expected of them. The speech of the hon. member for Cardwell (Mr. White) was delivered with the usual force of that hon. gentleman, yet, whatever failings there were in that speech, it presented the advantage of closely following the lines laid down by the hon. leaders of the Government in reference to this subject. The hon. gentleman in opening his remarks, told us that the first Budget of the late Finance Minister imposed a tax on this country of \$26,000,000. Now, I have sought in the public records to find on what the hon. gentleman based his information, and, so far, I have not been able to find any ground for such a statement. I do find that in 1874, the late Finance Minister brought down an estimated expenditure for 1874-5 of \$23,713,000. In the face of that, where did the hon. gentleman get his information in reference to the \$26,168,000 he spoke about? When asked where he got it, he showed us a book, stating that that was where his statement could be proved. But that book did not contain the Estimates, but only the Supply Bill. The hon. gentleman told us he had studied this question, not only while he had been a member of this House, but during the many years he was in the Press Gallery, and that, therefore, he knew fully what he was talking about. Is it possible the hon. gentleman made that statement with the clear intention of deceiving the country? Or did he make it not knowing that he was quoting from the Supplies,

that had no direct connection with the Estimates, and that these supplies contained an item of \$13,107,000 which belonged to capital account? Whether it was an error or not, the statement will not raise the hon. gentleman's character as a financial authority. I find the hon. gentleman's speech is published in the *Montreal Gazette*, but in that paper he is not reported so fully as he should have been, for his statement in reference to that point is entirely omitted but I find that in the first portion of this speech he is reported as saying that the hon. member for Centre Huron, in the first Budget Speech that he delivered in this House, imposed upwards of \$3,000,000 additional taxes upon the people. This is the first part of the argument which he adduced to prove the position he had taken in reference to this \$26,000,000, the amount he stated was asked for in the first Budget Speech of the hon. member for Centre Huron. He asserts that that hon. gentleman added \$3,000,000 additional taxation to the burdens of the people of this country. I suppose hon. gentlemen opposite are quite willing to accept the Estimates for 1873-4 of \$23,828,300 as theirs; and the actual expenditure for that year of \$23,316,000, showing an expenditure of \$507,000 less than the Estimates, as the fair basis on which to estimate their last expenditure previous to going out of office. I find the hon. member for Cardwell, after labouring very nearly an hour to prove that the Liberals, when coming into power, had in their first year, that is, in 1874-5, imposed \$3,000,000 additional taxes on the country, now abandons that statement entirely, and later on in his remarks states the amount of excessive expenditure in the year 1874-5 reached the sum of \$1,417,000 in excess of the greatest expenditure of the previous Administration. By what rule of argument did the hon. gentleman so suddenly drop from the first position he took, and now adopt a sum or less than half of the amount that he argued so long to sustain? This statement, however, is equally at variance with the truth. As far as I can find out by the Public Accounts, the expenditure for 1874-5 was \$23,713,000, and for this I defy contradiction, whereas, for the previous year for which the previous Administration was responsible, the expenditure was \$23,316,000,

making a difference only of \$397,000, and an over-statement on the part of the hon. gentleman of \$1,020,000 from his reduced figures. On what grounds can the hon. gentleman justify such gross misstatements. Now the hon. gentleman goes through the whole five years of the Mackenzie Administration, giving figures for each year's excessive expenditure, which are equally at variance with the truth; but let us follow him, and analyse his statements. The expenditure in 1875-6 was \$24,488,000. Deduct now their expenditure of 1873-4, which, as before stated, was \$23,316,000, and we have a balance of \$1,172,000 which the late Administration expended more than the previous one did in 1873-4. But the hon. gentleman is not willing to put the sum at \$1,172,000. He puts it at \$2,152,000. In 1876-7, the expenditure was \$23,519,000; take from this amount again the highest expenditure authorised by the previous Administration, namely, \$23,316,000, and this is what the hon. gentleman asked, and you have a balance of only \$203,000, whereas the hon. gentleman stated the balance was \$1,223,000. The next year, 1876-7, the hon. gentleman stated the extra expenditure was \$1,203,000, whereas it was only \$186,000, and for the year 1878-9 he put the excessive expenditure at \$2,155,000; it was only \$1,139,000, and for this excessive expenditure the Mackenzie Government were not wholly responsible, as hon. gentlemen opposite came into power this year, and over-expended the Estimate by \$786,308. I would, however, be willing to give them the benefit of all this, if they wish it, as I will show that the Mackenzie Government actually reduced the expenditure during their Administration. To sum the whole matter up, the hon. gentleman says there was an excessive expenditure during those years of \$8,152,000, whereas, according to the Public Accounts, published by themselves, the excessive expenditure during these five years is only \$3,097,000. There is an alarming difference in these figures, and some person should be able to account for them. But I can go still further, and show that in those years not only does the extra expenditure not exceed \$3,097,000, but that the late Administration paid more interest on the money borrowed by the Government to carry on the public works of the country than did

the former Administration, to this extent :—

In 1874-5—extra interest.....	\$ 866,353 88
1875-6 .....	676,465 76
1876-7 .....	1,072,790 94
1877-8 .....	1,324,447 24
1878-9 .....	1,470,297 83

\$5,419,355 65

And extra amounts paid to Sinking Funds :—

In 1874-5 .....	\$ 41,853 32
1875-6 .....	309,033 32
1876-7 .....	314,453 59
1877-8 .....	431,826 02
1878-9 .....	523,299 76

\$7,030,821 66

Credit amounts expended in each year in excess of expenditure of 1873-4, namely :—

In 1874-5.....	\$ 396,754 29
1875-6.....	1,172,055 36
1876-7.....	202,985 02
1877-8.....	186,841 50
1878-9.....	1,139,064 81

\$3,097,700 98

\$3,933,120 68

These figures show that they had to pay, as interest, \$5,410,000 more in these years than their predecessors did. This money did not go into the ordinary expenditure of the country, and therefore they should receive credit for it. They also paid \$1,620,000 into the Sinking Fund more than their predecessors, taking the years 1873-4 as a criterion, clearly showing that the Mackenzie Administration not only were able to check the enormous expenditure of their predecessors, but that they saved to the country \$3,933,000 during these years instead of having, as the hon. member for Cardwell stated, expended over \$8,000,000 additional. We all know it is very easy for Ministers, as it is for individuals, to increase their expenditure from year to year, but to check it is a more serious matter, and one which only can be accomplished with courage and ability. The late Finance Minister was able to reduce the expenditure of this country during the time he was in office, and I think that in the face of his having to pay this large amount of interest on the capital borrowed to conduct our public works, and of his having paid these large sums into the Sinking Fund, that his succeeding in doing so is a marvel. I find that the next subject, that the hon.

gentleman dwelt upon was the price of refined sugar. I did not intend to deal with this subject as it has already been largely dealt with by other speakers. There are, however, one or two statements which really require just a passing remark. He told us that he found that the average price of sugar in 1876 was \$9.50; in 1877, \$10.66; in 1878, \$9.34, and in 1879, \$9.00; and he adds that the effect is that the people of Canada, instead of having the price of their sugar increased, had it 1c. per pound cheaper than they would if the Tariff had not come into operation. That is a most extraordinary statement to make, that after an increase of 25 per cent. in the shape of duty, the people bought it for 1c. less per pound. If that argument holds good, they had better put on another 25 per cent. and see if it will reduce the price still more. Then he went on to tell us that the price has gone up this year in sympathy with the increased cost of raw sugar. Now, if that is the reason, and it undoubtedly is so in part, why did he not go on and tell us that the price went down last year in sympathy with the price of raw material, and if it had not been for the extra duty it would have been selling at \$8.00 instead of \$9.00. I saw in the *Toronto Mail* of 24th March, a criticism of the speech of the hon. member for Brant (Mr. Paterson). This is good Conservative authority, and it admits the present Tariff increased the price of fine sugar 10 per cent. That paper stated that we use, in round numbers, 120,000,000lb. of sugar annually. Taking last year's average prices, 9c., the country pays \$10,800,000 for sugar, and 10 per cent. extra duty on this is \$1,080,000, being the difference between the old and present Tariff, and for this large sum we are told we receive a benefit in the shape of having employment found for 400 men at Montreal. Why, if we divide this \$1,080,000 into 400 shares, we shall have \$2,700 for each of these 400 men. Did these men get that amount? And is that the reason why this large additional burden has been put upon the people? Did the hon. the Finance Minister consider these men in imposing this burden on the country? I think he had more consideration for the employers of these men than for the men themselves, who received but a very small portion of

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that money. So far from this sugar duty having decreased the price of that commodity, what are the real facts? This hon. gentleman tells us the prices in 1878 and 1879; but he does not tell what the price is in 1880. The price to-day, according to the *Montreal Gazette*, is 11c. per pound for refined sugar, whereas best refined sugar can be put on board ship in England at 6½c. per pound.

SIR SAMUEL L. TILLEY: Why do not they bring it here?

MR. SNOWBALL: The Ottawa Citizen, of the 20th of this present month says that twenty-five car loads of sugar *ex Polynesian* from England, were shipped over the Intercolonial Railway yesterday. If sugar is thus coming from England and paying the duty, how can our sugar be cheaper than that coming from abroad? On this 528,000lb. of sugar, the revenue will benefit \$17,000; but it shews that the refiners are not satisfied with the benefits given, but are straining the last fraction from the consumers. We are told that this Tariff bears equally and justly on all parts of the Dominion. If that is so, what mean the appeals from the hon. the Finance Minister's own native Province for relief from its evil effects? What mean the appeals we have heard from hon. members from Prince Edward Island? These hon. gentlemen, with one exception, supported the Government through every division on this Tariff, and now, after a year's trial, of a Tariff that they themselves assisted to force on this country, what do we find? Why, hon. members from that Province taking a stand far beyond that of hon. members from New Brunswick. We find them coming before this Parliament asking for money compensation for the damage done by the Tariff to their Island. We, in New Brunswick, do not ask for money considerations. What we ask is that we should be relieved from this burden; we do not offer to sell our rights for a mess of pottage. But they go further, and they use words which would be denounced as treason if coming from our side of the House; they say if this money consideration is not granted they will not be accountable for Prince Edward Island taking means to secede from the Union. Does the hon. the Finance Minister want any stronger appeal to show that his Tariff does not bear with

equal justice? Can he, in the face of these appeals from his own friends, say that his Tariff bears equally? The hon. the Finance Minister told us last year, and he tells us again this year, that this Tariff is not intended and does not add increased taxation on the people of this country. But he has also told us that additional taxation was found last year to be indispensable, and he has told us further, that this further taxation was \$2,000,000. And still in the face of this, he tells us that the goods bought by the people do not cost a cent more than before. Last Session I brought before the House, in remarking on this Tariff, an English invoice and entry under the two Tariffs, and showed that the present Tariff largely increased the cost of the goods to the consumers. I now produce another invoice and Customs entry, which shows that the present Tariff has increased the duty to be paid on this invoice to the extent of 43 per cent. Now, this 43 per cent. on this small lot of goods must be paid by the labouring classes of the Province, and yet we are told that the people do not pay additional taxation. Speaking of our complaint about the duty on flour and corn meal, the hon. the Finance Minister also told us that the Province of Ontario paid more duty on those articles during the last six months than New Brunswick and Nova Scotia did on flour and coal combined. Of course we have not the same information on those matters that the hon. gentleman possesses. Certain returns are placed on the Table; but we have not the means to decipher them, as they are only for the Dominion, the proportion of each Province not being given. But, from the Trade and Navigation Returns of last year, I find that Ontario paid \$854 duty on flour, and that New Brunswick and Nova Scotia paid \$6,360 during the same period. Those Provinces also paid \$4,851 duty on coal, making a total of \$11,211. I have no doubt that the result will be proportionately the same this year. I maintain that the hon. Minister, in dealing with matters contained in the statistics brought down to the House, should use them in a manner which would assist us in the performance of duties connected with the investigation of such topics, instead of quoting them in a way which is misleading and bewildering. We were

also told that the Tariff discriminated against the United States, and in favour of England. Two statements were made in this regard—one in reference to the importations of iron and steel, and the other with reference to the importations of cottons. The hon. Minister told us that manufactured iron and steel from the United States paid a duty of 24 per cent., whereas the same manufactures from England paid only  $17\frac{1}{2}$  per cent. Does he mean to tell us that, if the same goods we import from our neighbours were imported from England, the same duties would not be paid? Does he mean to tell us that the same Tariff does not apply to the same class of goods, no matter from what country imported? The fact is that we are in the habit of buying iron from England in rods, bars and plates, such iron as enters into the manufactures of this country, and a duty of from 10 to  $17\frac{1}{2}$  per cent. is imposed thereon. We cannot buy that description of iron in the United States. That country is importing it at present for their own use, and it is not at all likely that we would import articles from the United States which they import themselves. Our importations of manufactured iron and steel from the United States, consist mostly of fine manufactures of these metals, such as steam pumps and engines, which are subject to a duty of from 25 to 30 per cent., and that is the reason why the average duty from that country was 24 per cent. instead of  $17\frac{1}{2}$  per cent., as in the case of the importations of iron and steel from England. The same goods would have had to pay the same duty, no matter from what country imported. Such statements are misleading in their tendency, but the effect that they are intended to have is not gained when they are carefully and dispassionately examined. We were told that the Tariff has tended to diminish the exports from the United States, and to increase them from England. In examining the trade returns for the month of December, I find that the trade of the United States has improved greatly. That the United States imported from England in December last \$9,235,000 worth, consisting mostly of manufactured goods, against an importation of \$3,457,000 in December, 1878, showing the enormous increase of \$5,778,000 in that month, while the im-

portations to Canada fell off \$60,000. A few of the goods on which this great increase to the United States were: On cotton manufactures, increase \$28,120 for the month; earthenware \$73,970; hardware, \$46,455; iron, \$2,218,000; steel, \$119,000; linen manufactures, \$738,260; iute manufactures, \$158,475; wool manufactures, worsted and carpets, \$1,383,000; machinery, \$12,545, and fifteen full cargoes of salt, and these figures are only the excess over the corresponding month of 1878. Is it to be wondered at then that our imports from the United States have decreased, when we find they have to import from our parent country themselves, and still the hon. the Finance Minister claims the credit for his Tariff. But to follow the hon. the Finance Minister's argument in reference to iron and steel. I find on examining the returns that our total imports last year amounted to \$31,000,000, on which we paid a duty of \$5,550,000, or an average of 18 per cent., whereas we imported \$40,000,000 from the United States, paying \$5,508,000, or an average of  $13\frac{1}{2}$  per cent. This shows that there has been a discrimination against England in favour of the United States of  $4\frac{1}{2}$  per cent., instead of the discrimination in favour of England which the hon. Minister endeavoured to show. This statement is strictly in accordance with the reasoning of the hon. the Finance Minister in reference to steel and iron, and, while literally correct, is misleading, and such as should not be indulged in by hon. members on either side of this House, much less by an hon. Minister of the Crown. I find that the Dominion last year paid \$16,400 duty on corn-meal; of this sum Nova Scotia paid about \$12,000, and New Brunswick \$6,000. This does not represent all the corn-meal imported into the Lower Provinces during the four months this Tariff was in operation, because a large portion came in by way of Ontario. So the total duty was about \$30,000. Does the hon. the Finance Minister mean to say that the consumers of the Lower Provinces did not pay this duty, that it was not a tax on our people? I find, besides, that the duty on coal during the few months of last year that the Tariff operated, reached \$106,000, or  $19\frac{1}{4}$  per cent., a pretty large tax, indeed, on such an article.

It has been stated that this duty is for the benefit of Nova Scotia, that the duty was imposed to increase the production of coal in that Province, and that such was the effect; that the additional quantity mined was 18,000 tons. But unfortunately it was not sold. We are told 33,000 extra tons were mined last year in the Dominion, that is including British Columbia, and that we have paid on it, as duty, \$106,000. What, then, did it cost the Dominion? Why, if we are to count the whole quantity, it cost the consumers of this country \$3.17 per ton to raise it, but if we only count the Nova Scotia portion, and the duty is for their benefit, it cost this country \$5.84 per ton to mine their 18,000 tons of surplus coal that they still have unsold. And still we are giving the miners a little more Protection. Does the hon. gentleman undertake to assist my business or the great general industries of his own Province, the lumbering and fishing? No; he has done all in his power to oppress and wipe out the waning industry of New Brunswick, as he calls it. Why could he not give it some of this Protection? If he is going to protect the 400 workmen in Montreal, why not carry his Protection further; but no. The 400 in Montreal have received more consideration from the hon. the Finance Minister than the thousands of unemployed in his native Province. The hon. member for Niagara says "hear, hear." Well, Sir, I will give that hon. gentleman attention if he wants it. That hon. gentleman no doubt wishes us to understand that he speaks officially, and no doubt he is put up and down by the Ministers at pleasure. I think it was the hon. member for Gloucester (Mr. Anglin) who referred the other evening to the hundreds of labourers who congregated in front of this building, asking the Government to fulfil the promises made during the elections of 1878 that abundant employment would be found for them. The hon. member for Niagara (Mr. Plumb) thereupon got up, and, with his usual shrug of the shoulders, told the House that he had seen those people, and did not think they were quite so badly off as was represented. He told us they wore pretty good clothes. Are the workmen of Ottawa to be told that they must pawn their clothes, and eradicate every vestige of the compara-

tive prosperity with which they were blessed under the late Administration, before the present Ministers will perform their promises to them? If that is the course proposed, the labourers, the people of Ontario, have not the pluck of the people of the Lower Provinces, if they do not mete out to those hon. gentlemen their just reward. The hon. the Finance Minister told us, in his opening speech, that he had looked forward to this debate, not with dread, but with satisfaction. If his heart is not made of steel—about the only important article in his Tariff free of duty—and if not callous to public opinion and the sufferings of the people, he will look back to this debate with remorse that will follow him to the grave.

MR. MACKENZIE: He has got past that.

MR. SNOWBALL: I was surprised also to hear the hon. the Minister of Railways—for whose opinion, however, I have a great respect—when he told us in this debate that Lord Derby had lately expressed approval of the Protective policy of this country. As I was in England when that speech was made, and had acquired a different impression of it, I thought I would refer to it to see if it bore out the description of the hon. Minister. I find that his Lordship spoke as follows on the occasion in question:

"We, in England, as I believe, are marked out by all our characteristic qualities for industrial supremacy; and, as far as Europe is concerned, I am not afraid lest we should lose it. I do not believe in short cuts to fortune. Labour enterprise, and saving give us the industrial position which we have earned, and those qualities alone can retain it. But it is argued that the whole world is shutting out our trade by Protective Tariffs, and our colonies are following the same example. Now, let us look into that a little. As to the Colonies, is there a particle of evidence to show that they have really and definitely adopted the theory of Protection? That they have tried it, or are trying it, as an experiment in some cases is certain; but if, as we believe, it is an experiment which must necessarily end in failure, why should that alarm us? No doubt each separate Colonial interest would like to be protected, but when each interest finds that it can secure Protection for itself only at the cost of paying for the Protection afforded to every other interest, the supporters of each will soon begin to discover that it is possible to buy gold too dear. The process of disillusion I am told, has already begun in Victoria, and when bubbles burst they do not burst gradually or by halves. I believe it is mainly the example of the United States that has influenced our

Colonies, and when they change, as they must, the smaller communities which look up to them will do the same."

I cannot find anything in his speech to justify any person in saying that Lord Derby was in favour of Protection in the Colonies or anywhere else. There is another question I wish to notice—the currency. I look with dread upon this the third attempt being made to put a quantity of paper money into circulation in this country. This practice which may be indulged in to a certain extent, I believe is very dangerous. If each Finance Minister finds that he has only to resort to the printing press to meet his deficits there is great danger that it will injure the credit of this country. It is stated by the advocates of this scheme that the Government should participate in the benefits of a paper circulation. How much benefit is there in this circulation? Has the history of the banks of this Dominion proved that they receive too much profit from the business they are doing? If we do anything that will increase the value of money or diminish the amount of accommodation the banks are able to give, we at once raise the rate of interest. If the borrower has to pay an additional rate of interest he has to recover it from those who are dependent upon him, and in the end it amounts to an additional tax on the people in general. We might just as well put the tax on the people in any other form as in this. It is only another scheme for taxing the people of this country, and it may be National Policy No. 2. I am doubtful if the scheme will prove profitable. In the first place, the country is paying a considerable sum annually for the management of this paper currency. I find by the Public Accounts that we are paying \$275,000 annually for the management of our loans, I suppose our loans in England; and I have heard complaints in England that it was not very well managed either. I think that is too large a sum to pay, and something should be done to save it. I think we should ask ourselves how much we are paying for managing the paper currency now in circulation, what benefits certain banks are getting out of it. When we consider the expense of managing it outside of the Department, such as the cost of printing, expensive steel plates, and the loss that

must arise by forgeries and other causes, I doubt if the country would not do much better to go into the markets of the world and borrow money in a legitimate manner, instead of tampering with the currency that naturally belongs to the banks. If we are going into banking, we might as well go into any other business, and I am afraid that this scheme will only prove the entering wedge in a policy that will prove disastrous to this country. We are told by its advocates that the National Policy has increased the price of every thing in this country, and I am willing to admit it, with one exception. There is one thing it has not increased, and that is the rate of wages. I do not remember any period when the labouring population of this country were paid so poorly as during the year this policy has been in force. They have suffered more during the past summer and this winter than ever before. We were promised that this policy was to work marvels in six weeks, and now, at the end of a year, we are asked to wait another year before the policy can be tested fairly. While prosperity is looming up in the United States, England and continent of Europe, generally, Canada is not prosperous, and is far behind; and why are we behind? For the reason, principally, that this policy is hampering trade and preventing people from entering into enterprises that otherwise would be profitable. Bye-and-by, when prosperity comes, as come I believe it will from natural causes, then we will hear hon. gentlemen trying to take credit for it. They will never for one moment give God the praise for good harvests; they will not give old England any credit for the business we find there under her Free-trade, but they will assume the whole credit for it and ignore all other causes. I admit the price of some things has advanced. The price of tea has advanced 50 per cent., but does the hon. the Minister of Finance claim that his policy has had anything to do with the advance of tea in London? The article of tin, which we use in packing fish so largely, has advanced in Cornwall from £60 a ton to £95 a ton, and are we to attribute that to the National Policy? While the prices of nearly everything required in carrying on the business of this country has advanced, wages have not advanced. The taxes of this country

are so great that I believe every labouring man who is earning a dollar wages at the present time has to pay 30c. of that dollar into the Treasury, and still we are told that the people are not being taxed. We are told they are not as heavily taxed now as they were under the old Tariff. People that are earning their living in this country have not yet come to realise that, including their local taxes, they are paying from 35c. to 40c. tax on every dollar they earn; that each dollar they earn only represents 60c. under Free-trade. When they do come to realise it they will rise in their might and sweep the whole system out of existence. If the rise in the prices of articles benefits those who have to sell, it injures in the same proportion those who have to buy. If the price of sugar or any other article is suddenly raised, just in proportion as the manufacturer benefits the consumer must suffer. The hon. gentleman also stated that the balance of trade has to be in favour of a country in order to show that the country is prosperous. Now, I do not think that necessarily follows. The exports and imports of a country are just the barter that is going on between it and other countries. I find in looking over the trade and navigation returns that the Dominion imported during the twelve years of Confederation \$1,142,000,000, and exported during that time only \$913,000,000. Consequently, there has been a balance against us of \$229,000,000, or an annual average balance of \$19,000,000. How has this enormous balance been paid? In the first place it has been paid for in part by the \$87,000,000 the Government of this country has borrowed abroad to carry on our public works, leaving \$142,000,000 as a balance still to be accounted for. Until the present Tariff came into force a large amount of smuggling was carried on across our frontier to the United States, which was computed to amount to \$2,000,000 per year, or about \$20,000,000 up to last year. The smuggling has turned the other way now and is going on to an alarming extent all over the Dominion. The next source of revenue we have is the shipping, which is computed to earn from \$6,000,000 to \$8,000,000 annually. That would produce an amount of about \$90,000,000. The Railway, Telegraph and other Companies,

outside of Government enterprises, have also been borrowers to a large extent, probably amounting from \$20,000,000, to \$30,000,000 more, so that the \$229,000,000 balance of trade against us has been paid in these several ways. What has been the position of England during these years, I have the returns for the past eighteen years? and find she imported during that time \$1,264,000,000 sterling more goods than she exported.

An Hon. MEMBER: How much was raw material?

MR. SNOWBALL: Almost entirely raw material, or fully 90 per cent. England did not pay any portion of that amount of excessive imports in specie, because the imports of specie during those eighteen years were £93,000,000 more than her exports. Therefore, no money went out of England to pay that large surplus. But that does not show a want of prosperity in England. How, then did she pay this £1,264,000,000? In the first place, there are represented on the London Stock Exchange sums loaned to foreign countries, the interest on which amounts to £60,000,000 annually. Then the shipping interest yields £65,000,000 sterling, annually, so that during these eighteen years, England received from these two sources alone £2,250,000,000 sterling, showing a balance in her favour of £986,000,000 as her net earnings during those years. She has also an enormous annual revenue derived from private loans not represented on the Stock Exchange, and the interest her subjects have in speculations abroad. Far from England becoming poorer from an excess of imports, she is growing rapidly wealthier. I would infer from these facts that an excess of imports over exports, instead of denoting poverty, is a sign of wealth and prosperity in an old country. But in a new country like ours, it only denotes that we are large borrowers of money from abroad. That money does not come into the country in hard gold, but largely in the manufactures of the country from which we borrow. In the case of Canada, the United States, Spain, Turkey, Brazil, India, and other countries, the exports exceed the imports; but do hon. gentlemen mean to tell us that that is because they are wealthy countries? No; it is because they have borrowed large sums of money abroad, and



they have to send out more than they bring in, in order to pay interest, and, in some cases, a portion of the principal. Excess of exports over the imports of a country, so far from denoting wealth, is a sure sign of its indebtedness, and excess of imports, in old countries, over the exports is a sure sign of wealth. While excess of imports over exports in young countries, such as ours, denotes that we are large borrowers of foreign capital, and that this money borrowed comes into our country in materials to carry on our public works, and materials to supply the labour employed at them. So, when our country begins to export more goods than it imports, it will denote that we are improving, and have stopped borrowing abroad, and have begun to pay the interest on our loans. And when our exports exceed our imports by a larger amount than \$7,000,000 or \$8,000,000, the amount we now pay in interest on public loans, it will denote that we have commenced to pay back part of the principal. Now, it is estimated that there is at the present time over £600,000,000 sterling, \$3,000,000,000 of British capital lying idle in the banks of England. I believe the time is not far distant when this money will in great measure be set loose. I believe that when this country and other countries, for we are all dependent on each other, become more prosperous, and of this we have now some prospect when that gigantic project the Suez Canal and other kindred works get fully launched on the world then the millions of old England will be let loose. Then a demand will spring up for the products of Canada. We shall then reap the benefit of the liberation of this large amount of capital now lying idle. Then it is that we shall begin to hear the "hum," not the buzz of a hornet, that like our so-called National Policy, that stings us on every side, but a true and genuine "hum," commencing in England and reverberating over the whole world.

MR. FLEMING: I think the friends of a Revenue Tariff have no reason to regret the discussion which has taken place in the House this Session. In looking carefully over the *Debates* I cannot, with one exception, put my finger upon a statement or a position taken up by the friends of a Revenue Tariff, that has been suc-

cessfully controverted by the hon. gentlemen opposite. The exception was a statement made by my hon. friend from West Elgin (Mr. Casey), based upon information which he had received, and which he deemed reliable, with regard to the position of certain manufacturing industries in St. Catharines. I believe, however, that letters were sent here and read by the hon. member for Cardwell controverting that statement. With that exception, I do not know of a single proposition made on this side of the House that has been successfully challenged or proven not to be in accordance with the fact. I may say on behalf of the hon. member for West Elgin, that if he had thought the information was not reliable, he would never have offered it to this House. It has been contended, by advocates of the National Policy, that it has accomplished the object for which it was inaugurated. If its object was merely to benefit a few manufacturing industries, it has accomplished that object. If, however, it was meant to benefit all the industries of the country, then it is a failure, for I think I will be able to show that there is one very important industry which has suffered materially in consequence of this policy. The last speaker, who addressed the House before the adjournment, in favour of the National Policy, was the hon. member for Niagara. It would be a slighting upon an hon. member of so much importance not to take notice of him. The hon. member read to us an extract from the speech of my hon. friend the member for North Norfolk (Mr. Charlton). It was not fair for the hon. gentleman to read a portion only of the speech. He ought to have read more. He did not read this portion, which has a very important bearing on the argument which the hon. member for North Norfolk advanced. Mr. Charlton, in his speech in 1876, said:

"I think it can be clearly shown that the amount of Protection in that country (United States) has been altogether greater than was necessary for the purpose of promoting its interests, and in consequence of that over-Protection, monopolies and rings were created, and a gambling element was introduced into all business transactions."

He further stated in the conclusion of his speech:

"That while desirous of doing everything calculated to promote the manufacturing in-

terests of th's country, he believed the Tariff then in existence (17½) adequate for the purpose."

The hon. member for Niagara also stated that the policy of the late Finance Minister had ruined the country.

MR. PLUMB: No, I never said that. The hon. gentlemen is incorrect.

MR. FLEMING: It was so reported in the *Citizen*, at all events. The hon. gentleman also said, in another portion of his speech:

"The depression which passed over the United States, and all other countries affected Free-trade and Protection countries alike \* \* \* and that this was due to 'deep-seated and far reaching causes that had nothing to do with a Protective or Free-trade policy.'"

The hon. gentleman has saved me the trouble of contradicting him, for he has contradicted himself. The hon. member for Niagara gave as an illustration of the success of a Protectionist policy, the beet-root industry of France. Does the hon. member advocate that we should follow in the footsteps of Napoleon I, in the introduction of beet-culture into this country? Is he prepared to say that the people of this country shall pay 50c. a pound for sugar made from beets raised at home, when they could buy what was brought from other places for 10c.? Is he prepared to tax this country for forty years in order to build up a monopoly? If he is prepared to do that, then there is some force in his reference to Protection as applied to the cultivation of the beet-root in France. If Protection to beet-root sugar is to be afforded in this manner, what then becomes of the West India trade of which hon. members opposite boast so much about? The hon. member for Niagara went out of his way, and neglected to observe his customary courtesy, in making a personal allusion to my hon. colleague from South Brant (Mr. Paterson) when that hon. member was not in his seat. I venture to make the assertion that the hon. member for Niagara would not have so spoken if my hon. friend had been present and had a chance to reply. The hon. gentleman said my hon. colleague's speeches were like "Tales told by an idiot." I do not know of any hon. gentleman who introduces so many tales into his speeches as the hon. member for Niagara; and if I were to ask the House

to say which of the two hon. members does this quotation more appropriately apply, the answer perhaps might be: "not the hon. member for South Brant." But since the hon. gentleman has taken the initiative in making comparisons, I will take the liberty of giving the hon. member for Niagara a quotation from a brother poet, Tom Moore, who, in speaking of an inveterate talker, said he was:

"Like a pump which coldly spouts and spouts  
away,  
In one weak, washy everlasting flood."

The hon. the Minister of Railways and Canals spoke of his hon. friend the Minister of Finance in this way:—

"He has been able to come down with the evidence from the public records of the country and show that his expectations with reference to the effect of the Tariff upon the revenue have been abundantly sustained and placed beyond doubt in the mind of every person."

He goes on further to say:

"The hon. the Finance Minister shows he has redeemed his pledge of a year ago, and justified his judgment, that this policy would be eminently favourable to British interests, and restore the trade to that channel, which every loyal British subject must infinitely prefer to that favoured by the hon. gentlemen opposite."

I want now to make enquiry into what the expectations of the hon. gentleman were with regard to this policy, and how far it has been favourable to British interests. In order to do so I will refer, not to one of the hon. gentleman's speeches, but I will take a document presumably carefully prepared and carefully worded. It is a despatch sent to the Secretary of State for the Colonies, dated March 13th, 1879, which contains a memorandum from the hon. Finance Minister in which he gives his views with regard to the effect the National Policy will have on the trade with Great Britain. The hon. gentleman says, in general terms, that the effect of the Tariff would be most favourable to British mercantile and manufacturing interests; and then proceeds to give examples by way of illustration. Alluding to manufactures of cotton goods, he says:

"The cheaper kinds of cotton, bleached and unbleached, jeans, denims and kindred goods. The increase of duty on these classes will certainly lessen the imports from the United States, and the supply will be obtained partly from Canadian factories and partly from Eng-

land, and will tend rather to increase than diminish the trade with the latter country."

Now, I will just refer to the return brought down, showing the comparative imports from Great Britain and other countries during the last six months of 1878, and the last six months of 1879. We will take the articles referred to by the hon. the Finance Minister. Cottons, bleached and unbleached, entered for consumption during the six months ending 31st December, 1878, 1,528,367 yards, valued at \$108,521. Entered for consumption during the same period of 1879, 787,542 yards, valued at \$56,195, being a decrease of 48 per cent. on quantity and value. In jeans, denims, and drillings the importations from Great Britain during the last six months of 1878 were, 8,668,550 yards, value \$740,812; for the same period of 1879, importations of this class of goods had fallen away to 608,189 yards, valued at \$67,535, or a decrease of 90 per cent. That does not look as if the trade with Great Britain had been increased rather than diminished by the Tariff. It is the same with regard to woollen goods. In reference to them the hon. gentleman says:

"The whole value of these goods in 1878 may be stated at \$8,500,000, of which Great Britain furnished about \$7,000,000 worth, of which amount the higher classes reached the value of about \$5,000,000, and the duty thereupon is increased only from 17½ per cent. to 20 per cent., and as they cannot be made in Canada and could not be supplied from the United States, except at prices greatly in advance of English goods, the trade cannot be diminished by the small addition of 2½ per cent. to the duty."

While on this subject I desire to say that the hon. the Finance Minister last year told us that it was not necessary to put a duty on wool, because the Protection given to the manufacturers of woollen cloths and blankets would be protection enough to the farmer, inasmuch as it would give him a market for his wool. This Session, one or two hon. gentlemen have alluded to the increased price that farmers got for their wool, as an illustration of the benefits they derived from the National Policy. I think the hon. member for East Grey (Mr. Sproule), alluded to the matter, also the hon. member for Centre Wellington, and comparison was made between the price of wool in December, 1878, and the price of wool in Decem-

ber, 1879. Both hon. gentlemen, although not practical agriculturists, represent agricultural constituencies, and I supposed they would have been better acquainted with the habits and customs of the farmers in their neighbourhood than they are. I supposed they knew that the former does in general sell his wool in December. It is usually sold in the latter part of June or the beginning of July. The price of wool in July, 1878, averaged 22c.; in June and July, 1879, it ranged from 19c. to 21c. Really, the farmers got less for their wool in 1879 than they did in 1878. I know some farmers who, in 1878, thought perhaps a Protection policy may raise the price of wool, and in this belief stowed their wool away until 1879. But they were obliged to sell it in 1879 for less than they could have got for it in 1878.

SIR SAMUEL L. TILLEY: They sold too early in the season.

MR. FLEMING: They were not aware of what the price would be in December: besides the rise in price then was not caused by the National Policy, but by the rise in price in the United States. But I was speaking with regard to woollen goods imported from Great Britain, and the prediction of the hon. the Finance Minister regarding them. We find that the blankets brought in during the last six months of 1878 were valued at \$128,069; for the last six months of 1879 the amount was \$38,902, or a decrease of \$89,167, equal to 69 per cent. In carpets, the imports for the last half of 1878 was \$218,336; in this class there was not much of a decrease, only 9 per cent. during the last half of 1879. In flannels, for the first period, the amount was \$142,691; for the second, \$114,138, a decrease of 20 per cent. In all other woollen goods, excepting wearing apparel and worsted yarn, the importations from Great Britain fell from \$3,194,397 for the six months ending 31st December, 1878, to \$2,182,741, the amount for the same period of 1879, or a decrease of \$1,011,656, or 31½ per cent.—the average decrease on the classes named being 32½ per cent. Hon. gentlemen have only to look at these returns to see that the judgment of the hon. the Finance Minister with regard to the Tariff being favourable to British interests has been entirely at fault. At the same time, it is to be observed that, while the

decreased importations imply an increase in the home manufactures, the prediction of a better market for the farmers' ware has not been fulfilled. It has been frequently stated by those who advocate Protection, that it will be the policy of the future that even England will have to abandon Free-trade; they maintain that she is falling behind; that the United States are able to send goods over to England, and to compete successfully with English manufacturers. I will show, however, from the *Economist*, that England has increased her exports to the United States during the past year. I will give one or two illustrations. Take cotton manufactures. She exported in 1878 to the United States \$5,695,630 worth; in 1879 she sent them \$5,915,445 worth. In earthenware and chinaware, she exported in 1878, \$2,910,090; in 1879 the amount was \$3,409,675. In iron—that industry which the United States has been protecting for nearly half a century—that industry which has flourished as we are told by means of Protection, we find that England's exportation in 1879, in iron and steel, amounted to \$3,702,490 more than what they were in 1878, an increase of nearly six-fold; in railroad iron and steel the increase is thirty-fold. In linen and woollen manufactures, and indeed in almost every article of manufacture, there has been a marked increase in 1879 as compared with previous years. The true reason why the United States manufacturer sent goods to England, was their own depressed condition. They were glad to make any sacrifice to obtain money to carry them through the difficulties of the time. Lord Beaconsfield, in a speech he made in the House of Lords on the 28th of March, last year, said, in alluding to the state of British trade:

“It is perfectly untrue, as far as I can form an opinion on the subject, that we have lost the markets of the world, or that any branch of foreign industry, generally speaking of course, is successfully competing with the English.”

It is noteworthy that the greatest statesmen of both political parties, it is most remarkable, that statesmen in England still adhere to the cherished policy of Free-trade. It is contended by the advocates of the National Policy that it will lead to Reciprocity with the United States. The hon. the Minister of Railways em-

phatically declares that there is a change coming over the people of the United States; and that they would be glad now of a Reciprocity Treaty. I would ask the hon. gentleman to point to a single American of note who has been made a convert to Reciprocity by this Tariff.

MR. MACKENZIE: Or any American of no note.

MR. FLEMING: Yes; or of no note. There is not a single Professor of standing in any of the Colleges in the United States, who is a Protectionist. The system is looked upon by them as an evil. Protection is upheld in the United States in the interest of certain manufacturers who, by means of lobbying, control legislation in this matter. The hon. the Minister of Railways, speaking of manufactured goods, said: “Prices may rise, they will rise, because that prosperity in the United States will prevent goods being furnished in that country at the same price as they were before.” If this be so, if prices rise and fall in the United States, according to change of circumstances, then they would have risen or fallen just the same whether the National Policy was in existence or not. Slaughtering of American goods in Canada cease as soon as times improve on the other side. They are improving there now; the cause is producing the effect. What reason was there, therefore, for changing the whole fiscal policy of a country to meet an exceptional circumstance. I admit there is some improvement in the country over last year, but I deny it is owing to the National Policy. Do we owe the abundant harvest and the good prices we have received to the National Policy? No, for the one we are indebted to a merciful Providence, the other is attributable to the great failure of the crops in England. We are reaping the benefit of this, it is true; but it would be absurd to say that this is owing to any fiscal policy of ours. I come now to speak of a matter which I consider of great importance. Anyone who has bestowed the least thought on the export cattle trade of this country, must be astonished at the wonderful rapidity of its growth. In 1874-5, the value of the horned cattle sent to England was \$33,000, while in 1878-9 it was \$1,767,800; the total exports in that year of horned cattle, beef, sheep, and mutton, to the United

Kingdom, being \$2,256,174. Now, the question arises, is this trade worth keeping up? Is it worth taking trouble about? I believe it is true of nations as of individuals, that

“There is a tide in their affairs, Which, taken at the flood, leads on to fortune.”

Now is our time. If we only think for a moment on the enormous consumption of meat in England, over and above her own production, she requires \$90,000,000 worth annually; think what a small proportion our trade is of that amount. If we desire to cultivate this trade, we must be on the alert to take the proper means to meet its requirements. And what are these requirements? We have keen competition in this market. The United States can send there as well as we can; Australia can send her cattle and sheep there also. It is necessary that we should have a fair chance if we are to continue the race. There should be no obstacle placed in the way. At present there is a very serious hindrance; that is, the embargo placed on cattle coming into this country from the United States. Under the late Government there was a duty of 10 per cent. on cattle imported. At that time the evil was not felt; but I believe, however, that if the late Government had continued in power, the agitation to remove that 10 per cent. would now have been as great as it is to remove the 20 per cent. duty. We have in Ontario an Agricultural College, where experiments have been made as to the best and most profitable mode of feeding cattle. Here is an example of what may be done in feeding with a profitable result: On the 1st December, 1868, Professor Brown got the use of \$600 in order to purchase stock to consume an extra quantity of roots which were on hand. The statement he gives as to the result of his operation is as follows:—

Dr.	
Purchase of 7 steers, 2½ years old, half-bred Durhams, weighing 8,610 lb., @ 3¼c.....	\$322 66
Purchase of three milch cows .....	135 00
Cost of turnips, straw and corn consumed .....	201 17
Attendance .....	26 10
Interest on \$600 for 3 months @ 7%..	10 50
Total debit .....	<u>\$695 44</u>

MR. FLEMING.

Cr.	
Sale of 7 steers at the end of 3 months, 10,220 lb. @ 5¼c. ....	\$541 12
Sale of 3 cows, and value of milk .....	160 00
Estimated value of manure .....	24 00
	<u>\$725 12</u>

Balance, being clear profit..... \$29 48

So that not only did the Professor return the \$600, with interest, at the end of three months, but a clear profit of 5 per cent. was made in the transaction. That is an example of feeding profitably. I will now give you an experiment in feeding, also tried in the College, which resulted in loss. Fourteen head of 2½-year old steers and two 3-year old heifers, mostly Durham grades, were bought for \$728; they weighed 17,529 lb., or 4½c. per pound; they were fed for five months, from December to May. The balance sheet stood as follows:—

Dr.	
Original cost of animals.....	\$ 728 00
2,715 bushels turnips @ 8c. ....	217 20
905 “ mangolds @ 10c.....	90 50
12,960 “ pea-meal @ 1c.....	129 60
10,448 “ corn-meal @ 45c. per bushel, 56lb.....	83 70
Fodder, 24,000lbs @ \$4 a ton.....	48 00
Bedding .....	15 00
Attendance .....	52 50
	<u>\$1,364 50</u>

Cr.	
Animals, 22,155lb. @ 4 2-5c.....	\$974 80
Estimated value of manure.....	269 00
	<u>\$1,243 80</u>

Loss..... \$ 120 70

Here we have a loss of \$120.70, besides the interest of the purchase money of the cattle, \$728, for five months. From this experiment Professor Brown draws the following conclusion:—

“It does not pay to purchase steers at 4 1-7c. per pound, feed them for five months, and sell them for 4 2-5c. per pound. There must not only be an increase of weight, but an advance in price.”

The reason given by the Professor for purchasing steer, at this price was, that good cattle were not to be had for less money. Now, anyone can see by comparing these two experiments, that to make cattle-feeding a profitable business,

2½ or 3 year old steers would require to be purchased at 3¼c. or 3½c. a pound. Anyone acquainted with stock-raising in the wheat-growing districts of the country, knows that cattle cannot be raised for that money; besides, even if they could be raised, there is not enough of them in the country to keep up our present export trade. If the duty of 20 per cent. was taken off, farmers could bring in cattle from the United States at a cost of 3¼c. or 3½c. a pound; were they also allowed to bring in corn free of duty, they could do a profitable business, and increase the fertility of their farms at the same time. Before speaking of the corn duty, I desire to call the attention of the hon. the Minister of Customs (Mr. Bowell) to the answer he gave to the question put to him by the hon. member for West Elgin, relating to the drawback on corn given to the starch manufacturers. The answer of the Minister is as follows:—

“As soon as any hon. member can prove to the Government that the residue left over for fertilising purposes amounts to 2½ per cent. of the value of the duty paid on the corn, that being the proportion allowed on that imported into the country which goes into the manufacture of corn starch, the Government will consider the question.”

I would ask the hon. Minister if anyone has proved to his satisfaction that this proportion of the value of the duty is left over for fertilising purposes?

MR. BOWELL: I am not aware that any hon. member has made the attempt.

MR. FLEMING: Well, I will try now then. The duty on 1,000 bushels of corn at 7½c. a bushel would be \$75, 2½ per cent. of the value of the duty would be \$1.75. Now, the value of the manure obtained from the consumption of one ton of Indian corn, according to Mr. J. B. Lawes, of Rothamstead, England, the highest authority on the subject, is £1 11s. 0d. sterling, equal to \$7.75; now, 1,000 bushels of corn would be equal to twenty-eight tons, which, at \$7.75 per ton, would give \$217; deducting the \$1.75, the 2½ per cent. of the value of the duty, we have \$215.25, representing the value for fertilising purposes over and above the proportion asked for by the hon. Minister. Or supposing we were to place the value of what was left for fertilising purposes over and against the whole amount

of the duty, the result would be as follows:—

Value of manure, 2,000lb. corn ....	\$7 75
2,000 = 35 40-56 bushel @ 7½c. ....	2 68
	\$5 07

According to these figures, every ton of corn brought into the country and fed to animals, leaves \$5.07 worth of fertilising matter in excess of the whole amount of the duty. I do not think the hon. Minister is able to offer one single reason against the whole of the duty being refunded when the corn is fed to cattle which are exported. Look again at the inconsistency of the Tariff in this matter, admitting manure free of duty, and taxing corn, which contains within it the elements of manure, 17½ per cent. But it is said by those who are in favour of the corn duty, that the farmer can use other coarse grains in its stead. In answer thereto the hon. member for North Norfolk (Mr. Charlton) showed most conclusively the other evening the loss the country would sustain if barley and oats were substituted in its stead. I shall endeavour to do the same with regard to peas, which is probably the most likely grain to take the place of corn in feeding cattle and sheep. I shall not confine myself to the relative market values of the two grains, but will more particularly call attention to the superiority of corn to peas as a fat producing food. I shall base my argument on the result of an experiment in feeding sheep at the Agricultural College. On the 17th of March, 1879, twelve sheep were set apart for this purpose; different kinds of food were experimented with. I shall, however, only notice the result as produced respectively by feeding peas and corn. The result obtained from peas at the end of eighteen weeks was an increase in weight of 61lb., or nearly ½lb. per head per day; the increase from the use of corn at the close of the same period was 76lb., or nearly ½lb. per head per day. The quantity of peas consumed per head was 177½lb.; the quantity of corn fed to each animal was 159½lb. This gave 1lb. mutton to every 2·91lb. peas, and 20·09lb. corn. To produce 1,000lb. mutton would take therefore 37 bushels 18lb. corn, which, if purchased duty free, would be about 48c. a bushel, and would cost \$17.91. Corn, duty paid, say 56c. a bushel, would make 1,000lb. mutton cost \$20.90;

if peas were substituted for corn it would take 40·51 bushels to produce the same quantity of mutton, at 65c. a bushel would cost \$26.55, or \$8.64 more than it would have cost if it had been produced by corn purchased duty free. Now, the experiment proves conclusively that it would be utter folly in the farmer to feed his peas, if corn could be had, even with the duty. In order to show the benefit resulting from the purchase of corn and the sale of peas, I would direct your attention to the statement of imports for the last six months of 1878, when corn was admitted free of duty. There was imported from the United States during that period 5,472,000 bushels, costing \$2,273,207, or 41c. a bushel; 4,059,425 bushels of this quantity was re-exported, realising \$2,066,982, or 50¾c. a bushel. The balance of 1,412,575 bushels cost the country, therefore, only 14·59c.—a little over 14½c. a bushel. This quantity of corn introduced into the country enabled farmers to sell their peas. I have not the return of Exports for the last six months of 1878; but the quantity of peas exported in the fiscal year 1878-9 was 2,715,252 bushels, realising \$2,056,079, or 75¾c. a bushel. It is evident that the exchange of commodities was beneficial to the country. In order to show what might be done with this 1,412,575 bushels corn, suppose that it was fed to sheep, and a result obtained such as was had at the Agricultural College, 37,848,899lb. of mutton would be produced, which, at 3c. a pound, would be equal to \$113,546,000; deduct the cost of the corn, \$206,285, there would be left \$113,340,415 to pay for the hay and turnips fed in addition to the corn. I am sure if the hon. the Finance Minister would only give this matter his attention he would not tolerate these duties for a moment; their tendency is most injurious to the country. Hon. members speak of the importance of the manufacturing industries of the country, of the capital invested, of the number of men employed, without detracting from the importance of their interests one whit. I am bold to say that if all the restrictions and obstacles which are now in the way were removed, the growing of beef and mutton for the English market would be more important than any one of them. And so far as lasting benefit

to the country is concerned, all the cotton mills and sugar refineries that can be established in Canada under a system of Protection during the next ten years, are not to be compared with it. A complete recuperation of the soil would be sure to follow wherever it was carried on. Fields, that under present management hardly yield ten bushels to the acre, would give a return of twenty-five to thirty. The soil of the country is rapidly becoming deteriorated by constant cropping, and there is no better way of restoring it to its original fertility than the feeding of cattle. Instead of benefiting the farmer by shutting out American corn and cattle, we are really inflicting upon them a serious injury. I would urge upon hon. members who support the Government the necessity of using their influence to get these restrictions removed, they would thereby be performing an act of justice to an important section of the community, and confer a lasting benefit on the country at large.

MR. FARROW: I do not wish to occupy the time of the House at any great length, but I desire to say a few words before this debate closes. The hon. member who has just resumed his seat made a great many good observations, and it is a pity that his remarks were not all composed of good things. I dare say he is a very good farmer, but his political proclivities appear to run away with his judgment. As a farmer, I cannot agree with him about the advantages to be derived by taking off the duty from corn and cattle. I know of no step that would create more dissatisfaction in my neighbourhood, and I come from one of the richest farming sections of the country. If I were to recommend the course suggested by the hon. gentleman, I would be requested to stay at home. My constituents said to me: "If you can induce the hon. the Finance Minister to put on 15c. duty on corn, be sure and do so, and if you cannot do so try and get it up to 10c." I have asked the hon. Minister to do so, but he is hard pushed on both sides. I do not know whether he will put it up to 10c. or not, but for my own part I would rather he advanced it to 15c. I was surprised to hear the hon. member, who is a great temperance man, talk as he did about corn. We know that Gooderham and

Worts, of Toronto, and other large distilling firms, import corn for the purpose of making whiskey, and I am thankful that the hon. Minister imposed the duty, because in doing so he has discouraged the manufacture of whiskey.

MR. MACKENZIE: Has he?

MR. FARROW: In my opinion he has. There certainly has been less whiskey drank. Another point my hon. friend made was that the good times we are enjoying are attributable to the good harvest with which we were blessed. Well, I think the hon. the ex-Premier, and the other hon. members of the Opposition, ought to be thankful for that bounteous harvest. If my hon. friend has a memory, it will not be a great stretch for him to go back to 1877. He can read the reports of the Grand Trunk Railway, and also those of the *Globe*, to the effect that we never had such a fine harvest as in that year, and that such good prices had not ruled for years past. Let my hon. friend answer why good times did not follow then? How does he get it?

MR. FLEMING: I did not catch the hon. gentleman's question.

MR. FARROW: I think I spoke loud enough to be heard. My question was this: I was reading for the benefit of the hon. member for South Bruce (Mr. Shaw); why was it that we had not good times following the good crops and good prices in 1877?

MR. FLEMING: The crops were not so good in 1877 as the last year. True the hon. gentleman quotes the *Globe* reports, which were published about the time of harvest. Without any reflection on the *Globe*, or any other newspaper that gets its information in this way, I say that a great deal of the information furnished about that time is misleading. That given as to my neighbourhood last year was such. The true estimate of the crop is the quantity exported, and if the hon. gentleman can show me there was more wheat exported from the country in 1877 than last year, I will concede the point.

MR. FARROW: There can be no doubt about the good harvest in 1877 and the good prices following. But hon. gentlemen in Opposition have made, and often reiterated, the statement that there were more insolvencies that year

than ever before. Those gentlemen are ever learning, yet never coming to a knowledge, of the truth. Only two or three years ago Ottawa was deluged with deputations from different parts of the country—for what? To induce the ex-Finance Minister to give their trades some relief; they complained that Yankee goods were slaughtered in Canada enormously, and that they could not make a living. What was his reply? That if they could not live they had better go out. Later, however, the people told him and his colleagues they had better go out, which they did. I call to mind also the fact that the supporters of the ex-Premier from Lower Canada, in 1878, begged him to give them Protection, which he staved off. The late Finance Minister would not yield to the entreaties of his own party; but in 1878, the country, from Sarnia to Gaspé, from the Pacific to the Atlantic, declared that those Ministers were merely flies on the wheel, who should be set aside. Yet with all the pride and haughtiness of party spirit, they exclaimed "the country is wrong and we are right." They were all in the same ship, and have all suffered alike. It appears to me that some of the late Ministers had a prescience that their ship was not going to last long, and hence the rattling witnessed. The proverb of the rats leaving a sinking ship was illustrated in this instance. Mr. Dorion retired to the bench, and three more became Lieutenant-Governors, leaving the vessel very feebly manned. I would like to mark the contrast between the late and present Finance Minister, as noticed all over Ontario. The late Finance Minister would not listen to the deputations—he was above all that. He set up a standard that he believed superior to the intelligence of every business firm in the country. Instead of arrogating to himself such great importance and great powers, the present hon. Finance Minister went about the country doing good. He was ready to glean a little information here and there, and I dare say what he got enabled him to understand the wants of the country better than before. The late Finance Minister seemed to feel the sentiment of the old song:

"I am monarch of all I survey,  
My rights there are none to dispute."

But the hon. gentleman has found his



mistake, and has been probably heard humming to himself :

“ Oh, solitude, where are thy charms ? ”

There never was a truer saying than that of the present hon. Minister of Railways, that if ever hon. gentlemen opposite came into power again, they would have to change their policy. It is alleged the farmers are not benefitting by the Tariff. I hold that they are.

MR. MACKENZIE : That settles it.

MR. FARROW : Notwithstanding the assertions of the hon. member for South Huron (Mr. Cameron), and of the hon. member for Centre Huron (Sir Richard J. Cartwright), who visited my county, I repeat that statement. My constituents would like one or two more visits from the hon. member for Centre Huron. He is a little shy now, however. The farmers there would not go back to the old policy, being quite content with the present. It is asserted that wheat is not higher under it.

MR. ROSS (West Middlesex) : It is not.

MR. FARROW : I agree with the Opposition that the price must be regulated at Liverpool. But besides prices being enhanced, we have got our own market at last, and the Ontario farmer has the Lower Province market, which used to be supplied from the United States, and to their profit. Now, however, our millers in the west can pay our farmers 2c. to 3c. more per bushel for wheat to grind and send to the Maritime Provinces. Is not that beneficial to our farmers? There has been a rise in oats also, as American oats used to glut our market. They sold in Toronto at 28c. a bushel last year. Now, oats, wheat, peas, and pork are all higher.

MR. MACKENZIE : What about barley ?

MR. FARROW : I will come to that by-and-bye. The hon. gentlemen opposite said, in 1878, that the farmers would get no more for their grain under Protection ; and now prices are considerably higher, so that the tables have been turned on those prophets. The farmers will hereafter believe scarcely anything they may say. Hon. gentlemen opposite jeered at the hon. member for East Grey (Mr. Sproule) when he said that wool had risen in price. “ Does the doctor not know,” said the

*Globe*, “ that there never was any increase on wool ? ” Does the *Globe* not know that protecting our manufactures, when the stock of American wool was used up, the factories had to use ours, there being a competition between the different factories in our own Dominion for the article. I do not care whether Ministers put 3c. or nothing on wool, as the competition for it in the country will raise its price.

MR. ANGLIN : It will make the wool fly.

MR. FARROW : Perhaps ; but I would like to hear something sensible from the hon. gentleman. With regard to barley, though the price has not improved, it has not fallen.

MR. MACKENZIE : It has fallen a-half nearly.

MR. FARROW : There has been little change either way. But what will most benefit the farmers is a ready market for their perishable products. We have been charged with having promised to bring in good times right off. We did, and we are going to bring in better and better times without delay. The improvement is moving in a kind of concentric circles. These are good times even for the farmers, who are hard-working men. The manufacturers are advancing the country, our goods being made at home, and are not now being subjected to the slaughtering by the Yankees or any other foreign country. I believe in Canada for the Canadians. When our farmers get a home market for their vegetables, poultry, butter, cheese, and all their wives have to sell, the store-bill is kept down, and at the end of the year there is a surplus to their credit, and they are happy as kings. When our hon. friends opposite were in power, the farmers had nothing saved at the end of the year, and had they remained in power, the bulk of the farmers might have sold out and gone to Manitoba. The reason so many of them have to go there now, was the policy of the late Government five years ago. Fortunately, however, we had a change of Government. I believe the good times already come, and still better coming, will keep thousands of our farmers and mechanics in the country. Where the farmer benefits, all the rest of the community prospers. Where he does not prosper nobody else succeeds. I have also talked with merchants about the

MR. FARROW.

change in Government policy, and have received letters from them, including one since I came here, in which the writer, after praising the National Policy, says: "I did not vote for you the last time, but will next. When the ex-Finance Minister held his great demonstration at Clinton, he called some of us pumpkins, to which I replied he was a squash." My correspondent has been a firm and fast friend of the hon. gentlemen opposite, but now says: "I am confident the present is the right policy; the Yankees were destroying our trade." He wishes us every success. That is only a sample of the great change in public opinion on this subject. How nice if hon. gentlemen opposite had won one by-election, or got one drop of comfort. But that has been denied them. I do not know how long they can keep up their hearts, but they deserve credit for their pluck in doing so thus far. I think that shows the merchants are better off. Another thing the merchants say is that they are getting good cloth now from our own factories, cloth that will wear and give satisfaction; whereas a few years ago they bought a shoddy rubbish that came pouring into this country, such as that of which the hon. the Finance Minister spoke last year; if a man put on in the morning a pair of trowsers made of it, and went to work through the day, his knees would be out before night. Now you can get cloth in our factories that will wear the whole year, and look decent. We are told that prices have gone up. I challenge hon. gentlemen to prove it on the floor of this House. I challenge hon. gentlemen to prove that the prices of woollen goods have increased in this city since last year. I can to-day buy as good a suit of clothes on Sparks street, in this city, as I could a year ago at the same price. It is the same in Toronto and other cities. Last year we had Toronto men here buying bankrupt stocks and selling them at a sacrifice, but there are no bankrupt stocks to-day. Notwithstanding these stocks, cotton and woollen clothing can to-day be bought as cheaply as last year, and I defy contradiction.

MR. MILLS: They cannot.

MR. FARROW: I can prove it to you, if you will come with me to-morrow, in a dozen places in this city.

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

### After Recess.

MR. FARROW: Before the House rose I was observing that there were signs of improvement among the agriculturists and the merchants of this country, and I think I succeeded in proving that such is the case. I spoke this afternoon about a gentleman who formerly belonged to the Liberal party, but who now supported the National Policy. He is a very prominent man in his section of the country, and is a great friend of the hon. member for South Huron (Mr. Cameron). I have a letter from him, stating that he had got disgusted with the policy of his friends, the Reformers, and could not support them, but would support the present Government, for they were the true Reformers of the day. Now that is one of our out-and-out Reformers; and this fact, with thousands of others, ought to open the eyes of our Reform friends.

MR. CAMERON (South Huron): Name.

MR. FARROW: It is Mr. Fisher, of Clinton. I know that my hon. friend is aware of his antecedents. The House might think I was a little hard, this afternoon, on the late hon. Finance Minister, but I did not mean to be. I think our party has a great deal to be thankful to him for, for I am persuaded that he has done more than any other man to bring the Conservative party back to power. I hope I shall not be offensive when I say that three-fourths of the Scotch people of this country are Reformers. You will recollect that the *Globe*, some time ago, called the hon. ex-Finance Minister a mixer and a muddler. Well, whenever you get anything right down into the Scotch mind they never forget it. There is a firm belief in their minds at this day that that hon. gentleman is a mixer and a muddler. They do not believe in him. Soon he will not be recognized by either party, and he will have to form a new party, called the "mixing and muddling party." When he made one of his Budget Speeches here, he said to us, after figuring out the account, that he could see no light ahead; all was dark. Well, we had to take that, and go home. Then, twelve months after, he came down again, and delivered his Budget Speech,

and he said: "It is still dark, very dark, and I must tax you \$3,000,000, and that will bring light." But it never brought any light; and he said: "I will put \$500,000 more taxes on you, and then there will be light." He met Parliament again, but it was still full of darkness and deficits. And so it would have continued, and we should have been, financially, entirely lost if he had had the Government of this country for a few years more. I maintain that the manufacturers are better off now than during his *regime*. Is it not better for this country that we have two sugar refineries in Montreal, another about starting in the Lower Provinces, and another in Hamilton? Is it not better to refine our sugar ourselves than to let the Americans do it for us? The cry is, that sugars are dearer, but the hon. member for Cardwell (Mr. White) proved satisfactorily, I think, that they are not much dearer, if any at all. But he did not go on and tell the House that the sugar we use now is pure. The sugar the Yankees gave us was a compound of glucose and saccharine matter; there was about 4c. worth of sugar and 6c. worth of glucose. I have seen it myself in a barrel, on a winter's morning, so sticky that it was very difficult to get any of it out—more like paste. Now, if the Redpaths are making money and spending it in this country, is it not better than that the Yankees should do the work for us? A great cry is raised by the Opposition that the sugar does not come into Ontario. But what of that? If it goes to Montreal or to Halifax, we have the carriage of it with all the profits derived therefrom. If I had time I could give reports from various parts of the Dominion, showing that manufactures are flourishing. In London, for instance, they are manufacturing a certain acid that they could never manufacture for themselves before; the Yankees did it for them. Several other new manufacturing interests have sprung up there, employing a great many men and involving a good deal of capital. Take my own town, Wingham second to none in the Province considering its age. We have a furniture factory there which was about going down, but now they have orders from Manitoba, and more than they can fill. What has occurred there is occurring all over the country, and our opponents cannot make

sensible people believe these industries encouraged in the country are a loss. No, no. It has been said that wages have not increased; I assert that the volume of wages is greater now than it has been at any time during the five years of the *regime* of the hon. gentlemen opposite. The other day I was speaking with a piano dealer in this city, who said that he used to deal with the Yankees, but now he dealt with our own people. I asked him if it was better to buy of the Yankees or at home; and he replied that it was decidedly better to encourage home manufacturers. He said this was an industry that was entirely in the hands of the Yankees, but now we are getting it, and there are large profits made in it. I am persuaded from what I have heard from my friends, that the shipping interests in the Lower Provinces are prospering, and must be prospering. Look at the trade that has sprung up between this country and the Lower Provinces, and between this country and the West Indian Islands. Our ships and railways are carrying that trade. If it is only a small advance it is still better than when they had no trade at all, as when the Americans had it. There is another point which, in my opinion, proves conclusively that the National Policy is not condemned in this country. Hon. gentlemen are aware that there is a society in this country called the Grangers. It is composed entirely of farmers. There are about 30,000 in Ontario. They are banded together for mutual improvement. One object is the better education of their sons and daughters. They think they, the farmers of this country, are not properly represented in this House, and they have determined to educate their sons, so that they may hereafter take part in the legislation of this country. They firmly believe, and are persuaded, that there are too many lawyers, doctors, and other professional men, in the House—men who cannot, and do not generally, sympathise with the difficulties that lie in the way of the farmer, as they are totally unacquainted with that kind of life. These Grangers have achieved already a great deal of good in this direction. Another part of their creed is this: they are determined to do away as much as possible with the credit system. They look upon it as ruinous, and hence they want to do

away with these middlemen, and they have succeeded to a great extent. The point I want to make is this. They met at Toronto last fall, and talked over all their grievances. I have thoroughly overlooked their work, but I have been unable to find a single word against the National Policy.

MR. RYMAL: Did they congratulate the country upon having a National Policy?

MR. FARROW: No, but they did not find fault with it.

MR. RYMAL: If they live up to their principles, politics are not allowed to be discussed.

MR. FARROW: I know that, but had they found it to be the ruinous policy our friends say it is, there is backbone enough in them, and courage enough to speak out against it, but they did not. Another point in regard to the National Policy, is that the Board of Trade, which met at Toronto, passed certain resolutions, one of which specially thanked the hon. the Finance Minister for his policy. Another argument I would advance to show that the National Policy is a benefit to this country, is the fact that our loan societies in the west, in their annual reports, show that the payments have been made more promptly, and that old arrearages have been paid up. Another point is that when hon. gentlemen opposite were in power, the interest on money was from 10 to 12 per cent. Now the interest is as low as  $7\frac{1}{2}$  to 8 per cent. on straight loans. This must be on account of the large amount received from day to day in permanent deposits, as well as cheap money coming or being brought in from England. Hon. gentlemen opposite have cited several things to show that the National Policy has had a bad effect upon this country. They say that the number of insolvencies is a proof of this. It is, however, no proof of that. It was patent to the country that Parliament had determined to do away with the Insolvency Law, and those who were in an insolvent condition went into insolvency at once. An hon. gentleman opposite spoke about our cities becoming depopulated. Who believes that? Does anyone believe that Toronto is becoming depopulated? Is it not a fact that several towns have become incorporated cities, and that numerous

villages have become incorporated towns? Study well the country, and you will see that the population is increasing from day to day. Then hon. gentlemen say that bank stocks have fallen. If we adduce the *Globe* as evidence, hon. gentlemen will, perhaps, be satisfied. Last spring the *Globe* stated there was a ring of speculators at work, and that stocks were falling on account of over-speculation. But, subsequently, when it serves their purpose, they attribute the decline to the National Policy. A great deal is said by our friends opposite about the workingman. I hope that they really have the workingman's condition at heart; but I greatly doubt whether they have. Who are the real friends of the workingman? Did hon. gentlemen when they were in power help the workingman? Let us look at a few duties they put upon articles consumed by the workingman. What rate of duty did they put on tobacco? 240 per cent.; upon sugar the duty was 55 per cent.; rice, 40 per cent.; black tea, 30 per cent.; molasses, 35 per cent.; rum, 350 per cent.; beer was nearly double. All these articles are necessaries for the poor man. Now, contrast with these the duties put on goods chiefly used by the rich: silks,  $17\frac{1}{2}$  per cent.; satin,  $17\frac{1}{2}$  per cent.; velvets,  $17\frac{1}{2}$  per cent.; jewellery,  $17\frac{1}{2}$  per cent.; millinery,  $17\frac{1}{2}$  per cent.; French brandy, 80 per cent.; crushed sugar, 40 per cent.; port wine, 20 per cent.; sherry wine, 20 per cent.; cigars, 40 per cent.; and yet to-day, the very authors of this unfair distribution of the burthen of taxation, have the audacity to stand in their places in Parliament, and weep over the wrongs done to the workingman. In short, on every question affecting the breakfast table, or the poor man's necessaries, our opponents strenuously opposed any reduction. What did hon. gentlemen opposite do when my hon. friend from Stanstead (Mr. Colby) proposed to reduce the duty on coal oil from 15 per cent. to  $7\frac{1}{2}$  per cent.? Did they not vote against it? It has been urged that the present Tariff militates against Great Britain in favour of the United States. This, however, is not so. The imports from the United States have fallen off 33 per cent., while those from Great Britain have only fallen off 7 per cent. The American Board of Trade which met at Washington recently,

deploded the falling off in the export trade with Canada. Let me read to the House a description of the trade they did with us under the Administration of our hon. friends opposite. This is from the *American Exporter*:

"Last year (1877) the value of American goods entered at Canadian ports was \$51,342,609; more than 50 per cent. of the total of imported goods from all quarters, and an increase of \$5,000,000 over the corresponding figures of 1875-6. We are gradually superceding Great Britain in Canadian markets, as our exports have increased over 40 per cent. since 1872, while those of the latter country have decreased 35 per cent. in the same time. Considering the lower prices of merchandise, the quantity of goods sent from the United States must have been much larger than that of most of the previous years."

Now, under the existing Tariff the imports from the United States have fallen off 33 per cent., and those from Great Britain only 7 per cent. Does this show a favouring of the United States as against Great Britain? No, the facts are against it. My hon. friend from South Brant endeavoured to show that goods from the United States paid less duty than goods from Great Britain. He did not, however, make a fair comparison. He put the free goods and dutiable goods together. Take, for instance, steel and iron. On these articles Great Britain only pays 17½ per cent., while we charge the United States 24 per cent. Our Tariff does not discriminate against Great Britain in favour of the United States. Again, our opponents say, but you promised us better times right away. We had better times right away. Confidence was restored, and the money which was locked up in banks and different places, bearing very little interest, was launched into the commercial world as soon as this Tariff was announced. How could the country have confidence in the late Administration? From beginning to end they went back on all their promises, and their corruption or bungling jobs may be seen in the steel rail job, in the Fort Frances Locks affair, the Kaministiquia job, the Georgian Bay contract, the Goderich Harbour job, the Neebing Hotel purchase; their general corruption at elections, notwithstanding their previous professions of purity; their blundering policy in connection with the building of the Canada Pacific Railway. There was nothing in the whole conduct of the Govern-

Mr. FARROW.

ment from beginning to end that would inspire the least ray of confidence in the people of this country. I maintain that had the late elections been run without the issue of the National Policy, the country would have condemned the reckless course of the late Government. The hon. member for South Brant asserted that we did not know what the National Policy meant ourselves. It is well known, however, that the object of the National Policy was to foster the manufacture, in our own country, of the goods we consume, to increase our labour market, and to keep Canadian money in Canada. I have just one fault to find with the Government. I am one of those who do not see perfection in everything the Government does. I trust the hon. the Finance Minister will see his way clear to help a certain industry in the west. I think he has done a great deal of good in the east, and now we would like to have a little help in the west.

Mr. MACKENZIE: St. John, for instance.

Mr. FARROW: Yes; all over the east. I think he has done a great deal of good in the east; and I think he might do equally as much good in the west. Whatever the hon. the Minister of Finance has undertaken to do he has done it well. He has paid a good many visits during the past year to various parts of the country; we do not blame him for paying so many visits, but—

Mr. MACKENZIE: But wants to be salted very much.

Mr. FARROW: But in not paying us a visit in the west. I think if we got him in the west we might show him our salt works, and he might do something for us. The hon. ex-Premier said he would like to do something for us when he visited us, but he never did anything for us. He only gave us pleasant looks, and left us to think over that, but the present hon. Minister of Finance has helped us a little. He put a duty on the Yankee salt. It did not help us much, because our people had already driven out that foreign salt. When salt was discovered in the county of Huron, the Yankees, hearing of it, said: "We will kill out that industry," and they sent ship-loads, one after the other, and cut the price \$1.50 less a barrel than in their own country. But the people were

not to be killed so easily. We said, "Two can play at that game," and we put the salt right down below that, and brought the salt down; but they have never been able to raise it, and the price to-day is too low. Mr. Speaker, when I tell you that a barrel of salt, including the barrel, is sold at 60c., sometimes 75c., I dare say you will see that that industry is languishing, is dying. What we ask the hon. the Minister of Finance is not a favour; we ask no favour; we do not want a Joseph's coat of many colours. We only ask that the salt in the west shall be dealt with as the coal in the east has been. A duty has been placed on that, and now increased to 60c. a ton. Salt is purely a Canadian interest, as well as coal, and has as much right to be protected. We ask him to put a duty on all salt coming in from England and elsewhere, except for that used for the Fisheries. I think the hon. Minister will see his way clear to give us this simple justice. About a million dollars has been sunk in the salt works in the counties of Huron and Bruce, and a majority of the wells are now closed, and the capital lying idle. Surely, therefore, something ought to be done to redeem that struggling industry. If salt had not been discovered in the county of Huron, the Yankees would have charged us a dollar a barrel more than we pay now; therefore the salt supplied to this country by the county of Huron has saved the country some five or six millions of dollars already. Let these works be closed, and we again depending on Yankee salt, and we will soon see the price go up. I am persuaded the hon. the Minister of Finance will look into this matter, and if he only touches it, if he only gives it his consideration, he will help it. We are willing to give our friends the duty on coal; if 60c. will not bring it up we will give them 75c., and when they bring up the coal to the west we will give them a cargo of salt. It has been thought our salt was not as good as English salt. We have had three chemists, who have analysed it, and found it to be the purest article in the world; and we have had another practical test this fall. Some people have said it would not cure butter and cheese as well as English salt; but we have had a practical test made in this

way. They went to one of the cheese factories, and they salted a certain number of cheeses with English salt, and an equal number with Canadian salt, the curd being taken from the same vat; after the cheese was cured sufficiently, an examination by the best judges in the country was instituted; they did not tell these experts anything about what they had done. They carefully examined the cheeses, and they reported cheese number one the best, which was salted from salt made at Messrs. Coleman and Gouinlock's mill, Seaforth; best numbers two and three from Canadian salt also, and the fourth best from salt from England. Now what more do you want as to the purity of the salt. It has stood the chemical test and the experimental test, and it has been found to be the purest salt in the world. Let those who talk about Canadian salt not being as pure as English, when such facts as these have been established, cease decrying a Canadian industry of so much importance, and show a little more patriotism and faith in the resources of their own country. As a further proof of this, there is a large pork-packing firm in Milwaukee, in the United States, who use the Canadian article in preference to any other, and pay more per barrel for it than they would have to pay for American salt; they prefer to take ours even at the extra cost. Our Lower Province friends think it will not salt fish. Do they think we have no fish in Lake Huron? We have the best trout in the world, and the best white fish in the world, and we salt that fish. If it will cure fish, butter, cheese and pork, if it will stand all tests, experiments and chemicals, what more do you want? Nothing more, surely, but we must have Protection.

*Motion agreed to.*

SIR SAMUEL L. TILLEY: I was under the impression that there were other hon. members who intended to speak on the Tariff, but, if no other hon. member desires to speak, I will—

MR. MACKENZIE: I think it is passed.

SIR SAMUEL L. TILLEY: Well, I can find other opportunities if it is carried. I am not particular; but I was going to make a few remarks.

MR. MACKENZIE: Then we are to

understand, Mr. Speaker, that the question is not carried?

SIR SAMUEL L. TILLEY : I understand I am to close the discussion.

Some HON. MEMBERS : No.

MR. SPEAKER : I declared the motion carried. I will now put the first resolution.

SIR SAMUEL L. TILLEY : I desire to address the House, and I am sorry that the hon. member for Centre Huron (Sir Richard J. Cartwright) is not in his place. However, I will reserve the remarks I intended to make at the commencement of my speech until he returns to the House. Oh, now, I see the hon. gentleman is in his place; and I will, therefore, say what I intended to say with reference to the remarks that fell from the hon. member in relation to myself when he was replying to the statements I made in submitting the Budget. That hon. gentleman, Sir, thought proper to criticise my humble judgment in rather an ungenerous and unfair manner.

MR. MILLS : Mr. Speaker, I wish to say—

Some HON. MEMBERS : Order.

MR. MILLS : It is to a point of order that I rise. There are a number of gentlemen who intended to address the House upon the question generally, but they are not here at the moment; but if other hon. members are to be restricted to the subject matter of each item—if they are not to be allowed to take part in the general discussion—the hon. the Minister of Finance will have to observe the same rule.

SIR SAMUEL L. TILLEY : I understood there were hon. members who were very anxious to speak. I understood that the hon. member for Bothwell (Mr. Mills), and the hon. member for Gloucester (Mr. Anglin) wished to speak; and, therefore, I did not wish to close the debate.

MR. MACKENZIE : No one objects to the debate being re-opened; but what should be clearly understood is that, if the hon. the Minister of Finance is to be allowed to discuss the whole question generally, the same privilege must be accorded to every member of the House; otherwise the hon. gentleman can only speak to what is involved in any particular item discussed.

MR. MACKENZIE.

MR. MILLS : I know that a number of gentlemen intended to speak on the motion. I have a few notes which I took of the debate. I did not expect to speak to-night, and I have not got them here, because I supposed the debate would not reach a conclusion before Thursday. Of course, I can quite understand that the hon. the Minister of Finance is anxious that he should close it himself, and I have no objection to his doing so; but, after declaring the motion carried, the general debate is closed. I have, however, no objection to the hon. gentleman addressing the House generally on the Tariff, but only on the understanding that all those who have not already spoken, and who may desire to speak, some of whom are not for the moment in the House, shall have the same opportunity. The debate might be adjourned, and other Government business proceeded with.

MR. PLUMB : The hon. the Minister of Finance has by courtesy the right of reply. I do not see why he should not have it at this stage of the debate. If other members are to be allowed consequently to re-open the discussion on the main question, the business will never be finished. The debate will never be ended if they are to go on discussing the question generally upon every item that comes up on concurrence.

MR. SPEAKER : On the motion for the second reading of the resolutions the debate was general. I waited for some time before declaring the motion carried. Now, as the second reading of the resolutions has been declared carried, there comes the question of concurring in the resolutions, item by item, and in that case the debate must be confined to the subject matter of each item as it comes up, except it be specially understood that it is to be general.

MR. MACKENZIE : We have no objection on this side of the House to the general debate going on.

On Resolution 1, on item 7,

MR. PATERSON (South Brant) : The subject matter of this item has been brought before my notice by the Principal of the Institution in Ontario for the education of the blind. It relates to the duty upon books that are fitted for that unfortunate class, embossed or raised letter books, I think they are called. It is a subject upon which I have no direct

knowledge, but a gentleman informs me that the Tariff is exceedingly onerous, that the rates levied under the old rule, 6c. per pound, was something very great, but that under the *ad valorem* rate, as proposed by the hon. the Finance Minister, it will be 80 per cent. more than it was then. I am informed that this unfortunate class are unable, in a large measure, to provide their own books. Some are found by the Province, and others by the benevolent inclined. It is thought it would only be in the interest of humanity, and suffering humanity at that, if the hon. Minister would listen to the request in that direction, and announce whether he can see his way clear to give this relief. I am told that none of those works are printed in Canada, and never, in all probability, will be. They are published by humane institutions in the United States and elsewhere. The tax levied upon them will be a heavy burden on the class that can ill afford to bear it. Under all the circumstances, perhaps the hon. Minister can give us some assurance that the burden will be removed by a proviso, to the effect that books of that class be added to the free list.

SIR SAMUEL L. TILLEY: The subject to which the hon. gentleman has referred has engaged the attention of the Government, and two or three propositions of a similar character are receiving consideration. When the item is submitted, I will be able to state whether we will place them in the free list or not.

MR. MACKENZIE: Does this 15 per cent. mean the average amount collected?

SIR SAMUEL L. TILLEY: Yes.

MR. MACKENZIE: One of the leading book-sellers—a gentleman with whom the hon. gentleman had some relations last year—informed me that the average collection was a trifle under 10 per cent. If that be true, we are charging 5 per cent. more under the new than we did under the old Tariff.

SIR SAMUEL L. TILLEY: By reference to the returns for the last six months, which have been laid upon the Table, the hon. gentleman will see that the duty paid is between 14 and 15 per cent., and that the gentleman interested in the trade suggested 15 per cent.

MR. MACKENZIE: What they sug-

gested was that they would rather pay another percentage than another *ad valorem* duty.

SIR SAMUEL L. TILLEY: It is their own proposition.

On item 18,

MR. MACKENZIE: I would like to know what the item means. It is impossible to gather the meaning from the wording.

SIR SAMUEL L. TILLEY: Under the present Act, mattresses made of hair are taxed at 30 per cent. This makes the duty the same on all mattresses, no matter of what material they are made.

On item 47,

MR. IVES: I regret that the hon. the Finance Minister has not seen his way clear to apply the same principle in regard to this article that has been applied to flag-stones, in item 16, that is, to give a specific duty. A year's experience has shown that the duty on roofing-slates is practically much less than it appears to be, owing to the admission of American slate at an under valuation. To those unacquainted with the trade, it seems easy to detect the difference between the various grades of slate, but it is really easy to deceive anyone not skilled in the business. The roofing-slate brought in under the new Tariff, has been valued at less than one-half the price it is sold for on the market. It is evident, therefore, that either the hon. the Minister of Customs must perform his duty more efficiently or the hon. the Finance Minister must give us a higher rate per cent. At the present time, slate worth \$4.25 or \$4.50 per square, is brought in and pays duty upon \$1.50 to \$2 per square only. I hope the hon. Minister will see his way clear to giving us a specific duty on this article. I would suggest that we should have 20 per cent. of the value of the roofing-slate imported. That would be a fair Protection, and would prevent the importation of American slate to a large portion of the Dominion. There are very valuable slate quarries in the constituency I represent, and they have done tolerably well during the past year, but the business is capable of being largely extended, and I think the step I have suggested should be taken so as to enable



those quarries to supply the whole country as far as possible.

SIR SAMUEL L. TILLEY: I am not aware that the attention of the Department has been called to this subject. I understand that the manufacturers allege that the imported slates are undervalued, but I do not think it can be fairly stated that the hon. the Minister of Customs is not looking after such matters. I think there are more complaints in the opposite direction.

MR. IVES: He is looking after tea more than slate.

SIR SAMUEL L. TILLEY: This industry has certainly a Protection of 25 per cent., because it is unlike many other industries, which have to pay from 15 to 20 per cent. for raw material. It is all really upon the labour they bestow on the work; and the value of the slates varies so materially, that a specific duty would in one case be 60 per cent., and in another 70, while in a different one 20 or 25 per cent. The difficulty we experience in dealing with questions of this kind, where the values vary so much, is not slight. In a certain case of very inferior slate, the duty proposed by my hon. friend (Mr. Ives), would be about 62½ per cent. The Government thought that by the imposition of 25 per cent. they would give this industry everything that could be desired.

MR. JONES: I think the difficulty lies in the inability of the Custom House officers to give the proper appraisement of these articles. It is almost impossible that every Custom House officer on the frontier should be able to appraise different articles correctly. The Customs Department has not adopted a proper system in the appraisement of goods throughout the country. They have tried a little too much to save some money by not appointing suitable appraisers to go to the different districts, and assist the Custom House officers in valuing the different articles. I think the trouble is that the Board of Appraisers is only sufficient to remain at Ottawa, and work here, but have scarcely the time to overlook the work of appraisement elsewhere. We want a staff to travel through the districts, from point to point, and look over the different entries passing through the Custom Houses, and teach the different officers their duty. I see in

Toronto there is a great deal of trouble among the hardware men with regard to appraisement. In this article, particularly, there is an immense business done with the United States, and we know it is almost impossible for men, not properly trained in this branch, to state what the duties or prices would be. There has been no hardware appraiser appointed in the port. I think that is a great mistake, that it is penny-wise and pound-foolish, and that the Government is losing a great deal of money by not appointing proper appraisers. The board should be properly organized, if the Government wishes to carry out the present Tariff properly.

MR. MACKENZIE: Can the hon. the Finance Minister state what value has been placed on roofing-slate per square? We could soon ascertain the effect of the duty if that was stated.

SIR SAMUEL L. TILLEY: No; the return simply gives the value.

MR. MACKENZIE: The entire amount of the duty is only about \$2,900 altogether; so the immense amount the Government has been receiving, according to the hon. member for South Leeds (Mr. Jones), is but very small. Still, I think the hon. the Finance Minister ought to give whatever duty is asked, because the higher the price the richer the people grow under the present *regime*. It adds to the wealth of the country, and keeps Canada for the Canadians.

MR. IVES: I would like to ascertain the facts in this matter. I think that the slate imported last year has not paid duty upon its value. I think it has been admitted at a valuation of from \$1.50 to \$2 a square. I am quite certain that the information I have received on that score is correct, and, if so, there has been under valuation. What the hon. the Finance Minister says, with regard to high-priced slate paying a very low duty, if it were a specific duty, and low-priced slate paying a high duty, relates to a difficulty that I do not think exists. If we were to attach a specific duty of so much per square on roofing-slate, excepting coloured slate, say \$1, there would be no difficulty, because there is no very great range of prices in ordinary slate, Nos. 1, 2 and 3. If we were to take a specific duty of 25 per cent. upon the price of \$4, and except fancy slate for the operation of this specific duty, we

should then arrive at what we desire. The difficulty the hon. the Finance Minister mentioned does not really exist, because there is no very large margin between the price of Nos. 1 and 3.

MR. BOWELL: I can scarcely conceive what the hon. member for Richmond and Wolfe (Mr. Ives) wishes the Minister of Customs to do, except it be to look into and examine every invoice brought to the Department. To judge by the amount of roofing-slate imported last year, the House must come to the conclusion that there has been very little demand for it, or that the markets have been supplied from Canadian quarries. I understood the hon. member for Lambton to say that the total amount of roofing-slate imported amounted to the value of \$2,800.

MR. MACKENZIE: No; I said the duties on what was imported amounted to \$2,600 or \$2,800.

MR. BOWELL: The total duties collected on roofing-slate imported was but \$1,145. This proves that there has been little slate consumed, or the builders have used Canadian slate.

MR. IVES: It has been imported at a value of \$1.50 a square.

MR. BOWELL: If that be true, it cannot have interfered a great deal with the industry to which the hon. gentleman (Mr. Ives) refers, the import being so very small. The duty on all kinds of slate reached only \$3,200, and on all manufactures of slate, only \$526. Of roofing-slate, upon which no duty was paid, the value of the imports was only \$2,700. If the Department had been informed that this article had been under-valued when imported, an investigation would at once have taken place. The only question ever brought before me has been the propriety of changing an *ad valorem* to specific duty. If the idea of the hon. member for South Leeds (Mr. Jones) were carried out, we should have to largely supplement the present staff of Custom House clerks, and ask for 50 per cent. more for salaries. At all the principal ports it is well known there are special appraisers for each branch. I do not say that all are as efficient as they should be, but I believe all attend to their duties assiduously. That they may be properly instructed, some of the Board of Appraisers in

Ottawa constantly visit the ports throughout the Dominion, and instruct their officers more particularly in their duties. A report of an under-valuation or attempt at fraud is immediately followed by an investigation. As the hon. the Finance Minister says, if there is any complaint in the country at present, it is that we have been too strict in looking after importations, charging us with having impeded business, by trying to put a stop to what all the merchants have complained of for many years, under-valuation. I am at a loss to know what can be done further by the Department, unless to dismiss forty or fifty of the appraisers and select new ones, supposed to be more competent. I do not think the country would be satisfied with an increase of the number to the extent the hon. member for South Leeds desires, nor do I believe that much more can be done than has been done, hence I did not feel justified in asking this House to increase the expenditure of the Department in this particular.

MR. MACKENZIE: In giving the amount of duties collected, there was omitted what the class covers. It is slate and slate-manufactures of all kinds; they paid \$307.80; roofing-slate, \$682.10, and all other manufactures of slate, \$1,987, or a total of \$2,967 in the last half year. Roofing-slate, in the previous six months of 1878, yielded \$725, or some \$20 more than during the last six months, showing it was not materially affected in any way by the Tariff.

Item agreed to.

Item 49, Wool and woollens.

MR. CHARLTON: Will the hon. the Finance Minister inform the House what amount of wools pass into this country, and what revenue he expects from the duty?

SIR SAMUEL L. TILLEY: I cannot say. The impression last year was that there was very little of this description imported, but we found such was not the case. We thought the wool imported came mainly from Africa, South America and Australia, and that such wool as is raised in Canada was not imported; but we found last year that 30,000lb. entered from Great Britain alone. But the opinion we entertained this time was, that indirect Protection would be given the producers of wool in this country, by the

demand created for it by our own industries. It was stated to-day that the price of wool was very low during the summer; but our farmers sold it too early. Wool, then 22c. per pound, is now worth 32c. Last summer, while in Toronto, I was in communication with some gentlemen who had sent out orders for the very description of wool produced in this country, and a very considerable quantity was imported. I doubt very much whether the importation will be large, for a very large portion comes from Africa, South America and Australia, for use in the manufacture of the finer cloths, which cannot be made out of Canadian wool; it is used in the making of blankets and coarse goods. Last year, wool competing with Canadian, was imported, and it is to reach it that the duty is asked.

MR. MACKENZIE: Where does it come from?

SIR SAMUEL L. TILLEY: Largely from Great Britain.

MR. OLIVER: What quantity of the fine wool raised in Canada enters into our manufactures? I know it is very large.

SIR SAMUEL L. TILLEY: I cannot speak on the subject as positively, perhaps, as my hon. friend (Mr. Oliver). But, in conversations I have had with woollen manufacturers, I have learned that the larger establishments import nearly all the finer wools from Africa, and some from Australia and South America. Very little of the wool used at Almonte or the Sherbrooke mills is Canadian. Our own wool is used for coarse goods.

MR. CHARLTON: I wish to call the attention of the hon. the Finance Minister to the fact that the imposition of this duty is upon wools only of which we export a large amount and ordinarily import none, as the hon. the Finance Minister must be well aware, a deception sought to be practiced upon the farmer, inasmuch as only under exceptional circumstances and on very rare occasions can it have any effect on the price of wool. If he had imposed a duty on wool imported in large quantities, he would have got some revenue from it, whether he would have succeeded in raising the price of wool produced in Canada or not. But the present arrangement will neither give him

revenue nor the farmers Protection. It is a sop thrown to the farmer—one of those promises by which he is deluded into the belief that he is receiving some sort of Protection of a piece with the duty on barley, peas, beans, and various articles of which we export enormous quantities, and import almost nothing. It will have no effect in raising the price of wool, or producing revenue. I think it is one of those dodges it ill becomes the dignity of the Government to resort to.

Resolution agreed to.

On item 5 of second Resolution,

MR. ROBERTSON (Shelburne): I would like to ask the hon. the Finance Minister if he would have any objection to add the words, "and sugar refineries." I ask this for the reason that in Nova Scotia, as he is aware, a sugar refinery is to be established during the present year. A large portion of the machinery used in it may be manufactured in Canada, but it will be necessary to import a considerable portion from the United States and Great Britain. I see no reason why the privileges extended to cotton mills may not also be extended to sugar refineries. After this refinery is in operation it will have to compete with Redpath and Company, the machinery for whose establishment was been imported under the late Tariff.

SIR SAMUEL L. TILLEY: I am gratified to find that there is one hon. gentleman belonging to the Opposition who is of the opinion that a sugar refinery is not such a wonderful monopoly after all, and that the Protection which is alleged has been given by Parliament is of so limited a character that the machinery for it requires to be admitted free. Nevertheless, I am of opinion that this industry has sufficient Protection to warrant us in exacting a duty on the machinery for the sugar refineries that may be established.

MR. ROBERTSON: I did not say that that industry was not protected; on the contrary, I acknowledged it was protected. But I said that the sugar refinery in Nova Scotia would have to compete with Redpath and Son, whose machinery has been imported at a low rate of duty. Now, the sugar refinery in Nova Scotia will have to bring in its machinery at a high rate of duty, and will not be on the same footing as Redpath and Son.

MR. DOMVILLE: The hon. gentle

man is quoting Redpath *versus* Redpath, because we know that they are large owners in the refinery in Halifax. Consequently, things that are equal to the same thing are equal to one another.

MR. ROBERTSON: What stock have they?

MR. DOMVILLE: A large stock—\$20,000. I have it from the Redpaths themselves.

MR. ROBERTSON: \$10,000.

MR. DOMVILLE: A large portion of that machinery has been for years in Canada. I have no doubt that my hon. friend occupies a high position in Nova Scotia, as he represents a large rural constituency; but he might leave Halifax and St. John to look after themselves. When the Halifax refinery is built and in operation, and if it makes the large amount of money it is claimed it will make, then I think they will have nothing to grumble at in paying a duty on machinery. The whole machinery for that refinery will not cost more than \$60,000 or \$80,000, the duty on which would be trifling in comparison with the profits the hon. gentleman alleges they will make.

MR. DALY: I may reply to one of the arguments used by the hon. member for Shelburne (Mr. Robertson), by saying that the Redpaths' refinery will not have such an advantage over that about to be established in Halifax, in respect to duty as he has alleged. Under the late Government, the machinery of Redpath and Son was utterly useless and could not be employed, but now they have been obliged to import machinery under the new Tariff, so that they have actually paid the same rate of duty as will be required to be paid by the new company about to start in Halifax. I regret that this concession, which I had already urged on the Minister, has not been made in the Tariff, but at the same time I am satisfied with the explanation given by the hon. the Minister of Finance, that the Protection which the Tariff in general terms gives to the sugar refining industry is so considerable as to enable refiners to pay the duty on their machinery.

MR. MACKENZIE: I think the hon. member for Shelburne ought to withdraw his proposition. If the hon. members for Halifax say they do not want any privileges for the sugar refinery in that city,

such as has been enjoyed by other manufacturers, then the hon. member for Shelburne should cease his opposition, as the hon. members for Halifax must know best what their own people want.

Item *agreed to*.

On item 9 of second Resolution.

MR. ANGLIN: Perhaps the hon. gentleman will explain why this change is made?

SIR SAMUEL L. TILLEY: Because it is raw material and not manufactured in this country, and enters largely into the manufacture of agricultural implements and other articles. It is not at the present time made in this country at all.

MR. MACKENZIE: It is made at Londonderry.

SIR SAMUEL L. TILLEY: Not now.

MR. ANGLIN: Why limit the extension to 1882? Why not make the extension absolute?

SIR SAMUEL L. TILLEY: It is an indication to the English capitalists who are disposed to manufacture steel in this country, that the policy of the Government is to impose a duty on it before long.

MR. DOMVILLE: I feel that this item, to the uninitiated, covers a very large ground. It is hard to tell where iron ceases and steel commences. In the process of manufacturing iron, that is difficult to discriminate, except by experts, and they are not always able to form a conclusion as to where the line is to be drawn. I think a great deal of our nail-plate in this country could be brought in under the heading of steel, because it might be so manufactured as to answer for the making of nails and still come under the heading of steel. Again, under this heading, fish-plates come in free. Fish-plates have been made in this country, and can be made without any difficulty by the rolling mills, and would provide a large amount of work for such factories. The railways of the North-West and Canada simply, generally require annually some thousands of tons of fish-plates. I point this out because it may not yet be too late to alter the Tariff. I think it should be so amended so that fish-plates for railways, which can be made in this country very cheaply and

by a simple process, should be made in this country. As I understand the National Policy, it is to favour the manufacturer in this country of everything that can be manufactured here. If fish-plates can be made here as cheaply and as economically as they can be imported from abroad, our people should be allowed to make them, and at the same time burn the coal of Nova Scotia or of other parts of this country in their manufacture. I do not throw this out with any desire to find fault with the hon. the Finance Minister but only as a proper suggestion to urge him on in the interests of the country. At the same time, I wish to point out that in importing steel or the manufactures of steel, almost everything that is brought in under the heading of iron may be called steel, because the difference is so slight that it is hard to discriminate. I point this out believing that we should have the right to make plates in this country. For every mile of iron rails laid down there are five tons of fish-plates required. The Coldbrook Works have been referred to in the course of the debate. If we could only get the making of one-half the fish-plates required for the Pacific Railway, we should be able to carry on our business to great advantage, and provide employment to a large number of mechanics. I think this House must admit that the hon. the Finance Minister has endeavoured to do the best he can for all the industries of Canada, and he has shown his willingness to put the manufacturing interest of the country on a sound basis after they had been run down by the policy of the hon. gentlemen opposite.

MR. MACKENZIE: This is to add to the free list.

MR. DOMVILLE: I know it is, and I object to its being added to the free list. I object to the extension of the time to 1882 for certain articles that come under the denomination of steel. I do not object to steel rails coming in free, until the country is in a position to manufacture them. But when we come to the auxiliaries, such as fish plates, nuts, and bolts, and all those things, I want these to be made in the country.

Item agreed to.

On item 6 of third Resolution.

MR. CHARLTON: In connection with this matter of the Excise duty on spirits, I desire to call the attention of the hon.

the Finance Minister to one view of this case. In common with himself, I do not care how high the duty upon spirits may be. But I suppose his object is to secure as large a revenue as possible, and I much fear the rate of duty now imposed will be found to be too high for a Protective rate. I think a lower rate would be a more productive one. I fear this duty being so much higher than the Excise duty in the United States will lead to an enormous amount of smuggling, and also to a great amount of illicit distillation. It has been found in the United States that the highest rate of Excise duty yielded the least amount of revenue, and the experience of that country is that the present rate, which is 90c. I think, is more productive than the higher rates were. The Excise duty in the United States once was \$2, and the smallest revenue ever collected from spirits there was under that duty. I think the hon. the Finance Minister will find this duty too high for revenue purposes.

SIR SAMUEL L. TILLEY: This duty is very little higher than the Excise duty of the United States, and as far as we can discover there are no spirits brought in from the United States. There may be some illicit distillation within the Dominion, but the premium offered to parties giving information in regard to illicit stills is so great, that illicit distillation is rendered very hazardous. Further than that, the increase of 10c. per gallon last Session, would naturally make very little difference indeed in regard to illicit distillation.

Item agreed to.

Resolutions agreed to.

HIGH COMMISSIONER IN ENGLAND.

MESSAGE FROM HIS EXCELLENCY.

SIR JOHN A. MACDONALD delivered a Message from His Excellency the Governor-General.

MR. SPEAKER read the Message, and it is as follows:—

“LORNE.

“The Governor-General transmits to the House of Commons, copy of the correspondence which has taken place between the Imperial and Canadian Governments, relative to the appointment of Sir A. T. Galt, as High Commissioner to represent Canada in England, and to reside in London.

“GOVERNMENT HOUSE,

“OTTAWA, 30th March, 1880.”

MR. DOMVILLE.

## BRITISH COLUMBIA ADDITIONAL SUPREME COURT JUDGES BILL

[BILL 44.]

(Mr. McDonald, Pictou.)

## THIRD READING.

Amendment made in Committee of the Whole, read the second time, and agreed to.

MR. McDONALD (Pictou), moved the third reading of the Bill.

MR. BLAKE moved in amendment :

That the Bill be not now read a third time, but that it be *Resolved*, That any change in the judicial system of British Columbia should be based on the utilisation of the existing staff of eight Judges ; that the proposed legislation will involve the pensioning of five of those Judges, in full health and vigour, at an annual cost of \$8,000, and will thus increase the expense, while it will diminish the efficiency of the Administration of Justice in the Province.

MR. McDONALD (Pictou) : I have just one or two observations to make in regard to the amendment proposed before it goes to the House. Hon. gentlemen will recollect that in the discussion upon the second reading of the Bill, I laid before the House the figures on which I asked the House to assent to the Bill authorising the payment of salaries to Judges, and those figures demonstrated that the appointments of Judges proposed would not cost the country a dollar. The amendment, as far as I understand it, is entirely misleading. It states that the superannuation of the Stipendiary Magistrates, whom my hon. friend terms Judges, would entail upon the country an annual expenditure of \$8,000. It is very true that the pensioning of these gentlemen will entail the payment to them of their pensions, but the statement that it will cost the country that amount is entirely misleading. I demonstrated to the House that, although these gentlemen would retire from the active discharge of their duties, an arrangement of the judiciary could be effected, by which no additional cost would be necessitated. With this explanation the amendment as proposed by the hon. member will be indicative of his own views. I have only to say that it is misleading, in so far as it would tend to lead the House to believe that the appointment of these Judges would entail any additional cost whatever on the administration of justice in the country.

MR. BLAKE : By the hon. gentleman's own showing there would an increased cost of \$400 a year.

MR. McDONALD : Perhaps the hon. gentleman will show me where that statement is?

MR. BLAKE : I can show the hon. gentleman his own speech.

MR. McDONALD : I said that deducting the salary of the Westminister magistrate there would be a small additional outlay.

MR. LONGLEY : If the hon. the Minister of Justice will demonstrate to the House that the Bill which he is about to ask us to endorse, will not lead to a considerable increase in connection with the cost of the judiciary of the country, I for one will be prepared to vote for his motion. But, unless he can do that, I shall not feel free to add to the cost of that particular branch of the service some \$8,000. Any person having his attention directed to the expenses of the administration of justice for a few years past must have been struck with the fact that the expenses have been increasing in a very rapid manner. Even during the last year, if the figures before me are correct, those expenses have increased nearly \$9,000. I, for one, do not feel free now to sanction any further increase in this direction.

Motion made and question proposed :

That the Bill be not now read a third time but that it be *Resolved*, That any change in the judicial system of British Columbia should be based on the utilization of the existing staff of eight Judges ; that the proposed legislation will involve the pensioning of five of those Judges, in full health and vigour, at an annual cost of \$8,000 and will thus increase the expense, while it will diminish the efficiency of the Administration of Justice in the Province.—(Mr. Blake.)

House divided : Yeas, 43 ; nays, 98.

YEAS :

Messieurs

Anglin	Killam
Béchar	Laurier
Blake	Longley
Bourassa	Maddonell (N. Lanark)
Burpee (St. John)	Mackenzie
Burpee (Sunbury)	Malouin
Cameron (Huron)	Mills
Cartwright	Oliver
Casey	Olivier
Chandler	Paterson (S. Brant)
Charlton	Rinfret
Coupal	Robertson (Shelburne)
Dumont	Rogers

set  
Fleming  
Flynn  
Geoffrion  
Gillies  
Gillmor  
Gunn  
Haddow  
Huntington

Ross (W. Middlesex)  
Rymal  
Skinner  
Smith (Selkirk)  
Smith (Westmoreland)  
Snowball  
Trow  
Wiser.—43.

## NAYS :

## Messieurs

Abbott	Langevin
Allison	Little
Arnell	Macdonald (Kings PEI)
Baby	Macdonald (Vict B.C.)
Baker	McDonald (C. Breton)
Bergeron	McDonald (Pictou)
Bergin	McDonald (Vict. N. S.)
Bill	Macmillan
Bolduc	McCallum
Boulbee	McCuaig
Bourbeau	McInnis
Bowell	McKay
Brecken	McLennan
Bunster	McLeod
Cimon	McRory
Coughlin	Massue
Coursol	Merner
Cuthbert	Méthot
Daly	Muttart
Daoust	O'Connor
Dawson	Ogden
DeCosmos	Quimet
Desjardins	Patterson (Essex)
Domville	Perrault
Dugas	Platt
Elliott	Plumb
Fortin	Pope (Compton)
Fulton	Pope (Queen, P.I.E.)
Gault	Richey
Gigault	Robinson
Girouard (Jacques Cart.)	Ross (Dundas)
Girouard (Kent)	Routhier
Grandbois	Ryan (Marquette)
Hackett	Ryan (Montreal C.)
Haggart	Schultz
Hay	Shaw
Hesson	Sproule
Hilliard	Tassé
Hooper	Tellier
Houde	Thompson (Cariboo)
Hurteau	Tilley
Ives	Tupper
Jackson	Vallée
Jones	Vanasse
Kaulbach	Wade
Keeler	Wallace (S. Norfolk)
Kirkpatrick	Wallace (W. York)
Krauz	White (Cardwell)
Landry	White (N. Renfrew—98)

Motion resolved in the negative.

Bill read the third time and passed, on the same division reversed.

GENERAL INSPECTION ACT AMENDMENT BILL.

(Mr. Baby.)

FIRST READING.

House resolved itself into Committee of the

Whole, to consider a certain proposed Resolution respecting "The General Inspection Act, 1874" (37 Vic., cap. 45), and the Act 39 Vic., cap. 33.

(In the Committee.)

MR. BABY : After considering the suggestions of hon. gentlemen on both sides of the House, the Government have decided to reduce the fees for the inspection of smoked herrings from 2c. per box to 1c. per box,  $\frac{1}{2}$ c. per half box, and  $\frac{1}{4}$ c. per quarter box. I hope this will meet the views of hon. gentlemen from the Lower Provinces in general, and the member of the county of Halifax in particular. The hon. member for Gloucester (Mr. Anglin) stated that nobody had asked for this tax, but he is mistaken. As I said the other day, this is no tax at all; the object is only to fill up a deficiency in the law repeatedly asked for. The inspection fee now sought to be established is to remunerate the Inspector for his trouble, when called upon to inspect smoked herrings in boxes, the charges actually provided by law being only on barrels and half-barrels. The Statute in force since 1874 provides that where an Inspector of Fish is appointed, such fish as are mentioned in the law shall be inspected, but in the schedule to which I have already alluded, we find herrings mentioned only in barrels and half-barrels. I may add that I am informed that there are several contradictory judgments rendered in the Maritime Provinces on this subject; one to the effect that the Inspector is bound to inspect such smoked herrings without fee, and others that this officer is not bound to do so without remuneration. It is to remedy such defects that this measure is introduced. There was a complaint that the boxes were generally too small, but the Inspection Act regulates the capacity of the boxes, and states how many pounds of herring they shall contain. I trust that the resolutions now before the House will carry.

MR. ANGLIN : The hon. the First Minister stated, on a former occasion, that it was not intended that the inspection should be compulsory. I understood the hon. the Minister of Inland Revenue to state now that the inspection would be compulsory.

MR. BABY : The law says that the inspection of all fish mentioned in the list shall be compulsory where an In-

spector has been appointed at the request of the Board of Trade.

MR. ANGLIN: That is a point on which we would like to be satisfied. My own impression is that this Bill would make the inspection compulsory. If such is the case, it will render it necessary for those interested to view the matter differently from what they would if it were optional. It would, perhaps, be necessary for us to appeal to the House for such changes as may be desirable in the interests of our constituents. Failing in that, we must only submit to the inevitable.

MR. LONGLEY said that he thought there was some confusion in regard to boxes and half boxes. He was not aware that any half boxes were put up in his own county.

MR. BABY said the boxes would be defined by the law.

MR. LONGLEY said the hon. Minister would search the law in vain for the dimensions of half boxes. He was glad the Government had decided to reduce the inspection fee. Since the last discussion, he had ascertained that those interested in the industry would rather have the inspection optional. The Boards of Trade might be good authorities on the matters they understood, but the men who put up the fish are the best judges in regard to this question. He suggested that an hon. member (Mr. Gillmor), who understood all about the vast herring fisheries of Grand Manan, should give his views on this important matter.

MR. GILLMOR said he did not know much about the size of the boxes, but he was satisfied that if the hon. Minister understood the trade he would not have recommended inspection for the herrings put up at Grand Manan. Nine-tenths of the herrings exported from the Dominion are exported from his constituency, and he was quite sure the hon. Minister would not willingly interfere or obstruct that trade. Compulsory inspection would be a grave inconvenience. Local inspection might be well enough, but it would be a needless job to appoint an Inspector to go over the district, where the herrings are packed. The men engaged in this industry understood this matter, and their interests should be consulted. He thought this measure was unnecessary

and opposed to the interests of those engaged in the herring packing trade.

MR. LONGLEY asked if it was proposed to make the inspection compulsory.

MR. BABY: My intention is not to disturb the Act, but to leave it as it is. It has been decided by the Courts in Nova Scotia that the Inspector was bound to inspect herrings notwithstanding the fact that no fee was provided.

MR. LONGLEY said he understood there was a clear distinction between the inspection of pickled fish and smoked herrings; the one being compulsory and the other optional.

MR. BABY: According to the law of 1874, they were to be exactly on the same footing. But it will be better to wait until the Bill comes down before discussing this matter.

Resolution ordered to be reported.

House resumed.

(In the House.)

Resolution reported, read the second time and agreed to.

MR. BABY introduced a Bill (No. 84) To amend the General Inspection Act, 1874, and the Act amending it.

Bill read the first time.

House adjourned at

Eleven o'clock.

## HOUSE OF COMMONS.

Wednesday, 31st March, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILL INTRODUCED.

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

Bill (No. 85), For the amendment of the law of evidence in certain cases of misdemeanour.—(Mr. Kirkpatrick.)

### COTEAU BRIDGE.

#### QUESTION.

MR. VALLÉE enquired, Whether the Government has come to a decision with respect to the building of the Coteau Bridge; and, if so, what is it?

SIR CHARLES TOPPER: The Government has come to a decision on the subject, which has already been communicated to the Coteau Railway Company,



and made public: namely, to require the structure to cross the St. Lawrence at that point to be a high-level bridge.

#### LAND WARRANTS IN THE NORTH-WEST.

##### QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government to redeem scrip or military or police bounty land warrants, so as to prevent the said warrants becoming worthless, or to accept the same in payment for railway or pre-emption lands in the several belts, as was intended when such warrants were first issued by the Dominion Government.

SIR JOHN A. MACDONALD: That subject is now engaging the attention of the Government.

#### CROWN TIMBER PERMITS IN MANITOBA

MR. ROYAL enquired, Is it the intention of the Government to issue instructions to the Crown Timber Agent in Manitoba, so that permits may be dispensed with in the cutting or taking away of dead timber, whether fallen or standing, on Dominion lands?

SIR JOHN A. MACDONALD: No, it is not the intention of the Government to give any such instructions.

#### NORTH-WEST TERRITORIES—COLLECTION OF CUSTOMS DUTIES.

##### QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government to discontinue the present system of collecting the Customs duties in the North-West Territories, by the men of the North-West Mounted Police, and to appoint, at an early date, other officers; and, if so, at what points?

MR. BOWELL: It is the intention of the Government to appoint Customs officers, to be stationed at points on the frontier of the North-West, as the trade of the country develops itself, so as to justify such appointments. At present, I am not in a position to state at what points these officers, when appointed, will be stationed, or when any appointments will be made.

#### CANADIAN PACIFIC RAILWAY—RUNNING OF TRAINS IN MANITOBA.

##### QUESTION.

MR. ROYAL enquired, Whether it is

SIR CHARLES TUPPER.

the intention of the Government to direct that proper means be adopted in the running of Canadian Pacific Railway trains over the River Seine bridge, and along the Provencher Avenue at St. Boniface, Manitoba, for the better protection of life and property.

SIR CHARLES TUPPER: I beg leave to say in reply to the question of the hon. gentleman, that along the Provencher Avenue, at St. Boniface, there is only a temporary line, and it will not, I presume, be necessary to continue it after the completion of the temporary pile bridge.

#### MAIL SERVICE BETWEEN VICTORIA AND CASSIAR, B.C.

##### MOTION FOR RETURN.

MR. DECOSMOS, in moving for an Order of the House for a return containing a copy of any correspondence, in 1879, respecting the conveyance of the mails between Victoria and Cassiar, and way-ports north of Comox; and showing the number of mails despatched each way between Victoria and Lake Town, Cassiar, in 1879, the dates at which the mails were despatched, and a statement of the expenditure for the transmission of the said mails, said: As I observe that the hon. the Postmaster-General is now in his seat, I wish to call his attention to this matter, and particularly to the fact that Victoria and Cassiar are at a distance from each other of about 1,100 miles, and that at the present time during the winter season there are some 300 persons in Cassiar and in the summer time about 1,000 and upwards, yet no provision is made for carrying the mails between Cassiar and Victoria, or between Wrangel and Glenora, and between the latter and Laketown. I find, Sir, among some of the letters published in British Columbia on the subject, the following from Mr. Lovell, who was the Postmaster, until recently, at Glenora:—

“R. Wallace, Esq., Postmaster, Victoria:

“DEAR SIR,—During the past year, though no provision has been made for any mail service to Cassiar, you have been in the habit of putting packages of mail matter on board the steamers for Fort Wrangel, Alaska, addressed to me as Postmaster at Glenora; you trusting only to the generosity of anyone who would take them up the Stickeen river for nothing. And as you have refused to make any provision, or to pay anything, or promise to pay anything for the delivery of any mail at Glenora, I re-

quest you will have my name taken off the list of Postmasters, and address no more packages of mail to me as such at Glenora, unless by an authorised messenger, as I object to be a party to any such fraud on the public.

"And it is better for the public to know that, notwithstanding Cassiar does pay so large a proportion of the Dominion revenue, yet there is no mail service provided for the Cassiar District.

"I am respectfully,

"Your obedient servant,

"JOHN B. LOVELL."

Now, Sir, I ask the attention of the Government to this matter. So far as the Government of the United States is concerned, they supply a mail between Port Townsend, W.T., and Wrangel, in Alaska; and the only provision to be made by our Government would be to arrange for sending the mail by every steamer to or from Wrangel, making permanent provision for the mail between Fort Wrangel and Glenora, and then, seventy-five miles from Glenora, to Laketown, in Cassiar. Another letter, published in the Victoria papers, coming from the hon. the Postmaster-General's Department, is as follows:—

"OTTAWA, January 3rd, 1880.

"SIR,—I have to acknowledge the receipt of your letter of the 10th ultimo, remonstrating against the action of the Department in discontinuing the mail service between Victoria and the Cassiar district.

"In reply, I am directed to say that the service in question was discontinued because the price paid for it was out of all proportion to the annual revenue yielded by the offices interested, each trip costing the Department more than double the amount of such revenue.

"I am, Sir,

"Your obedient servant,

"WILLIAM WHITE,

"Secretary.

"Mr. J. LOVELL,

"Victoria, B.C."

Mr. Lovell writes:

"If the above reason for not sending a mail to Cassiar was applied to every district in British Columbia, how many would receive mail service at all? Cassiar pays a large amount of revenue to the Dominion Customs for which she receives absolutely nothing in return. The real reason is that Cassiar has no political influence.

"J. B. LOVELL."

Now, Sir, I think this is a very poor reason for the Department to give, that so many people should be deprived of their mails. I trust that the Government will see that some provision is made for carrying the mails to and from

Cassiar and Victoria, and the way-ports, Alert Bay, Fort Rupert, Fort Simpson.

MR. BUNSTER: The hon. gentleman introduced Comox, which happens to be in my district. I am glad he has mentioned it, for it was badly treated by the late Postmaster-General. Comox was promised a weekly service, and the service is large enough for the boat to run twice a week. There are 200 voters in that district, which is a good indication of the number of inhabitants. At present we have only a mail once a fortnight, while the contract was let for once a week. The bondsmen were never asked to pay the amount of the sureties for the performance of the contract. I trust that when the contract is let again justice will be done to Comox, as well as to the east coast of Vancouver Island. When bogus bondsmen go as sureties I think the authorities ought to look that they do not get straw bail. I have no doubt the hon. the Postmaster-General will do justice in this case.

Motion agreed to.

#### BRITISH COLUMBIA — APPOINTMENT OF MR. TRUTCH.

##### MOTION FOR RETURN.

MR. DECOSMOS moved for an Address for a return containing a copy of all correspondence, papers, and Orders in Council, respecting the appointment of Hon. J. W. Trutch to office in British Columbia.

MR. MACKENZIE: I would like to ask what position Mr. Trutch is appointed, and what are his duties and salary.

SIR JOHN A. MACDONALD: The return just moved for will show all that.

MR. MACKENZIE: If the transaction is complete, the hon. gentleman should tell us now. We may not see the return until next year.

SIR JOHN A. MACDONALD: I promise to have the return down in a few days.

Motion agreed to.

#### TRENT WATERS CANAL SURVEYS.

##### MOTION FOR REPORTS.

MR. KEELER moved for an Order of the House for copies of all reports of recent surveys made by D. Stark, Esq., Civil Engineer, of the proposed canal

route from Port Hope to Rice Lake (Trent Waters).

MR. McCUAIG: I am opposed to applications for reports in regard to undertakings which I am quite sure the finances of the country are inadequate to carry on.

MR. MACKENZIE: This matter has a more serious aspect than hon. gentlemen opposite are inclined to think. What object the Government could have had in sending an engineer with a party to examine the country from Lake Ontario, at Port Hope, to the interior, is past comprehension. According to the local papers, the engineer reports that he found the country of such a nature that it was possible to build a canal, and that the ascent to the Lake near Peterborough, was about 360 feet. I think the House ought to have some information about this matter. Parliament never authorised a survey of this country for the purpose of making a canal. An effort is also being made to have the Trent works continued. By that route, after traversing the Trent valley for eighty miles, you are only ten miles from Lake Ontario. These wild projects are utterly absurd, and it is a waste of public money to send engineers to examine such projected works. I do not think the Government has a right to undertake such a work as the one under discussion, when Parliament never sanctioned it, and no vote was asked for the purpose.

SIR CHARLES TUPPER: I may say that the hon. gentleman knows there is a general vote for surveys, and where a question of this kind arises and the Government think it desirable, before entering upon any considerable expenditure, it is usual to obtain information in a cursory way, as was done in this case. The officer was engaged only a few days; and I am inclined to think it is not a very great stretch of Departmental authority, when a question of this kind arises, for the Minister to satisfy himself by a small expenditure for the purpose of ascertaining how far he would be warranted to take the matter up. In this very instance, the result of a very small expenditure and of a few days' examination was sufficient to satisfy me that we would not be justified in coming to Parliament and asking for any considerable expenditure for

the purpose of prosecuting the investigation. I think the hon. member for Lambton will find this is a very insignificant expenditure compared with a good many expenditures that he felt himself quite warranted in undertaking without any larger amount of authority from Parliament.

MR. MACKENZIE: I am not aware of a single one, and would be glad if the hon. gentleman would mention one instance. Here is a work which would cost not less than \$15,000,000 to \$20,000,000, and an engineer is gravely sent to see whether it is wise or not to proceed with it. A single glance at the map, at the general geography or topography, would show, apart from the information in the possession of the Department, that this is one of the wildest schemes ever spoken of. The vote of \$10,000 or \$15,000 for surveys, and such matters, was never intended to be used for the purpose of making an examination of the country for a gigantic project that never was even mentioned in Parliament. When we desired to examine the coasts of the Northumberland Channel, we took a special vote for the purpose. With regard to the examination of harbours, there is an appropriation for the purpose, and it is generally mentioned in Parliament; but it has been very different in this case. It is a matter that could not possibly have engaged the attention of the hon. the Minister of Canals seriously—the construction of this canal. Supposing the report of the engineer had been more favourable, that the work would only cost half what it would, would the hon. the Minister of Canals really submit a project of that kind to Parliament? It was done, no doubt, to please some of his local friends; but they ought not to be satisfied at the expense of the country. There is information about all those waters in the Department now. This scheme has been deliberately abandoned by the Government for the last twenty-five or thirty years; and yet we have it revived, an engineer sent to examine it, and newspapers sounding the praises of the Government on the report that this work is to be undertaken; that the survey has been started, and so far everything has been found most favourable. It is a pure farce.

Motion agreed to.

## POST-OFFICE INSPECTORS.

## MOTION FOR STATEMENT.

MR. BOURBEAU, in moving for an Order of the House, for a statement from the offices of the Post-office Inspectors for each division, showing the salary and class of each employé, the number of mail conductors on trains, the railway line on which they travel, the number of trips made by each of them per week, and the distance they travel, said: Important changes have been made in the Province of Quebec in relation to the offices of Post-office Inspectors. Thanks to the now ex-Postmaster-General, a new division, called the Three Rivers division, has been organised, and, thanks, also, to the hon. Minister, we experience the pleasure of having as Inspector of that new division a French Canadian, the only French Canadian who holds such a position in the country. That officer has no deputy, but he has a first-class clerk, who performs the duty of deputy. The Post-office Inspector, whom I met yesterday, informed me of the fact that, his clerk not being his deputy, *ex officio*, cannot by consequence travel in the room and stead of the Post-office Inspector, who is obliged to make long journeys and travel over a country as yet unprovided with railways. Certainly the distance which he has to travel over, sometimes in vehicles, is very long and very fatiguing. It would, therefore, be more advantageous to him to have a Deputy Inspector to take his place occasionally. I also think it my duty to call the attention of the Government to the fact that the difference between the salary of the Three Rivers Inspector and that of the Inspectors of the other divisions is very great. I have no doubt that the Government will do justice to the Inspector of the Three Rivers division, either by increasing his salary so as to make it equal to the others, or by reducing the salaries of those officials who occupy a similar position to his, so that they may, as nearly as possible, be all placed on a like footing. The hon. the ex-Postmaster-General has exercised economy in the county of Arthabaska, and I avail myself of the opportunity of alluding to the matter which my motion for the information for which I have applied presents; I desire to say that my thanks are due to the

Government for the economy instituted in my county. The electors whom I represent are always glad to hear of economy being practised. It has, however, been pointed out to me that, although the two railway mail clerks on the Arthabaska and Three Rivers Branch of the Grand Trunk Railway have been placed elsewhere, the services of such officers being no longer required on that branch, complaint is made that like economy does not prevail in connection with other lines of railway on which the services of railway mail clerks are required. The complaint is that the mail officers work only two days in each week. The motion which I have the honour to propose will have the effect of providing us with all requisite information.

MR. LANGEVIN: I must, in the first place, thank the hon. member for the praise which he bestowed on me just now in relation to the economy effected in the Post Office Department. I regretted that that economy should have been made at the expense of his county, but I knew that the hon. member was too patriotic to offer any opposition to that economy being effected there rather than elsewhere. As to the mail clerks of whom he spoke on the railway between Quebec and Ottawa, he will, when he ascertains the number employed on that line, see that it is limited, and that those officials have as much work to do as those who are employed on the south side of the St. Lawrence—upon the Grand Trunk Railway, for instance. In reference to the Post-office Inspector for the Three Rivers division, I am certain that my hon. friend from Drummond and Arthabaska speaks in perfect good faith in reporting what the Inspector said to him. I think, however, that that officer is well aware that the rules of discipline require that he should, in the first instance, make his representations on the subject of his salary to the Department, by which he is employed. If he has representations to make, he should do so to the head of his Department, and not request a member to come and speak here on his behalf. And I am satisfied that the hon. member misunderstood what the Inspector said, or else that the latter did not express himself in such a way as to convey his ideas clearly. There is, therefore, a mistake on that point. As

to the Inspector, he is an excellent officer, and he will, I have no doubt, satisfy the Department, if he continues, as I believe he will do, to perform his duty as faithfully as he has hitherto done. His inspection district not being as large as some others, his salary could not at once be as high as he might later expect it to be, if he continued to do his duty in a satisfactory manner. With reference to the motion now before the House, I am informed by the hon. the Postmaster-General that the information sought for by the hon. member is contained in the Report of the Post Office Department. The hon. member should, therefore, be satisfied with the discussion which has arisen and withdraw his motion.

Motion, with leave of the House, *withdrawn*.

#### NORTH-WEST MOUNTED POLICE.

##### MOTION FOR RETURN.

MR. STEPHENSON moved for an Order of the House for returns, in detail, showing the expenditure by the Dominion Government during the year 1879, on account of the North-West Mounted Police, as well as the number of officers and men and horses composing that force, and the names of the stations where they are located; also, the names of the contractors and others furnishing supplies to said force.

MR. MACDOUGALL: The hon. gentleman has not given any reason for moving this return. I know it is not regarded as a very pleasant duty which is sometimes imposed on unofficial members to make objection to returns that hon. members may choose to move for. But it appears to me, in this case, that all the information asked for must be contained in the report of the proper Department, or if it does not appear there, which this motion assumes, it is much to the discredit of the Department. Our paper is full of motions of this kind, more than I remember to have seen at this stage of a Session for many years, and they seem to go without any objection. I do not wish to find any fault with the heads of Departments, whose duty it is to prepare the annual reports, but it seems to me most of our time this Session has been taken up in discussing motions for information which the public reports ought to give us, and,

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in my opinion, really do give us, if we would take the trouble to consult them.

MR. STEPHENSON: In reply to the remarks of the hon. member for Halton (Mr. Macdougall) I may say that if he would take the trouble to read over the returns which were brought down last year, in reference to the expenditure on the North-West Mounted Police, he will find there information of a very unsatisfactory character. We find there that \$352,749.05 have been expended for supplies for that force, and upwards of \$350,000 for each of the two previous years; which supplies were drawn chiefly from the United States, while we have men in Canada prepared to furnish the same supplies at a much cheaper rate. Moreover the returns show that pears have been supplied at the rate of \$13.78 a case, and other luxuries in the same proportion. If the hon. gentleman would also carefully investigate the detailed accounts in connection with the Mounted Police, produced before the Public Accounts Committee last Session, he would have seen that barley, oats, potatoes, and other articles of food which we have always supposed were grown in abundance in the North-West, were supplied from Chicago or St. Louis in the United States. He would also find that pork bought in the western portion of Canada, was brought down in this direction and sent back over the same line of railway and through the United States, at an enormous cost, when these provisions could have been bought much nearer the point where they were to be used, and supplied by Canadians, too. I think if he would call for returns showing the tenders accepted during the present year, he would find, too, that in consequence of the exposure of the gross mismanagement and extravagance which attended the purchase and furnishing of supplies to that force by the late Administration, a large amount of money will be found to have been saved to the country. Since the publication of these facts relating to the Mounted Police Force in the North-West during 1875, 1876, 1877, and 1878, I have heard the people on all sides energetically condemn that policy of the past in this connection, and now they demand that, in accordance with the principles of the National Policy, and in the interest of Canada and Canadian producers, the

furnishing of supplies for the North-West Police Force should, so far as possible, be given to our own people. The publication of returns, similar to those called for last year, has already been productive of much good, and no doubt had directly effected a saving of at least \$25,000. By the improved system of obtaining supplies for the present year, without doubt a still larger saving would be brought about, and due encouragement given to industries within our own borders.

MR. BLAKE: I wish to take this opportunity of calling the attention of the hon. the Minister of the Interior to a return to an Order of the House made on the 17th of March, for the names, etc., of contractors for supplying cattle and beef to the Mounted Police and the Indian Department in the North-West. This return is limited to the contractors who have supplied cattle to the Indian Department, and it altogether omits that portion of the Order which referred to the Mounted Police. The reason given by the Deputy Minister is:

"As similar information in reference to contracts by the North-West Mounted Police is also asked for in the Address above referred to, but which is not furnished herewith, I have the honour to inform you that a memorandum giving the particulars of direct contracts, etc., and such other information as Mr. Ryan, M. P., the mover of the Address, wished to obtain, was given to him, and he, Mr. Ryan, expressed himself satisfied with the information contained therein.

"I presume, therefore, that the clerical labour which would be necessary to prepare the the portion of the Return required from this Branch of the Department may be dispensed with."

I am sure that was not an intentional disrespect to the House, but I am sure it cannot be satisfactory. The House unanimously made the Order, and that the hon. member for Provencher was subsequently supplied privately by the Department with the information which the House ordered should be sent down for the use of the country is not a very good one for not complying with our order.

SIR JOHN A. MACDONALD: I have no doubt that is my memorandum to the Deputy Superintendent of Indian Affairs, and never intended to be included in the return. Of course the return must be made.

MR. MILLS: The hon. gentleman will find, if he looks at the various localities where the Mounted Police are stationed, that there are points which it would be impossible to furnish with supplies from any place in Canada. Take, for instance, Fort McLeod, close to the American border, and near the base of the Rocky Mountains. The hon. gentleman will see that these men are 800 miles in a direct line from Winnipeg. He will find again that the Mounted Police stationed at Fort Edmonton, or in that vicinity, are still further away, and that it will be necessary to supply them from the adjoining American territory at the nearest point. The only reason that supplies were taken from Baker and Company, who obtained the contracts, was that they supplied the articles at a smaller sum than they could be got for from any other parties. I cannot speak with regard to the Mounted Police, positively, because they were not attached to the Department of the Interior when I had charge of it, but I believe the practice was the same. In regard to the Indians, we were obliged to make our payments through bankers in Montana, and I suppose that will be the case for some time to come. It is perfectly obvious that it would cost us an immensely greater sum than it does if we were to say we will not take supplies from the United States for these purposes, but with a view of stimulating industry at home, and carry out the miscalled National Policy, we are disposed to purchase everything within the limits of this country. I am very sure that when the return comes down the hon. gentleman will find that supplies are still obtained from the American side of the border.

MR. STEPHENSON: I would like to ask the hon. member for Bothwell (Mr. Mills) if it was not the practice of the late Government to get these supplies from Messrs. J. G. Baker and Company, of Chicago and St. Louis, without giving other merchants an opportunity of tendering, and whether, when a considerable quantity of pork was purchased from a certain party, resident at Ingersoll, Ontario, public tenders were called for and public competition invited?

MR. MILLS: I cannot say what was done in the other Departments. I know it was not done in the Department with

which I was connected, and I believe it was also done in the Department of the Secretary of State. The practice, I believe, was to solicit tenders from the merchants and traders in Montana, and the contract was given to Baker and Company as the lowest tender. There were not many of them, and they were invited by letter to tender. But where the supplies could be obtained from Canada, tenders were advertised for.

**SIR JOHN A. MACDONALD** : Of course it must be the object of every Government to try to get its supplies for the Public Service as cheaply as possible. At the same time, it is the duty of the Government, all things being equal, to forward the industries of the country. It is quite impossible, however, to send supplies from Winnipeg to Fort McLeod, because the cost of transport would amount to four times the value of the articles sent. This difficulty will cure itself by degrees as the country becomes settled. I have no doubt the late Government found it absolutely necessary to get supplies from Montana for the Mounted Police at Fort McLeod, Fort Walsh, and other points under the Rocky Mountains. You might as well make Ottawa the point of supply as Winnipeg for that portion.

**MR. MACKENZIE** : I would like to ask whether, in regard to the contract recently made with Messrs. Baker, tenders were advertised for.

**SIR JOHN A. MACDONALD** : Yes, and theirs was the lowest tender. The Hudson Bay Company have a contract for a portion of the supplies, and private individuals, some in London and elsewhere, have also contracts for certain supplies.

**MR. MILLS** : In advertising for tenders, are the supplies for those distant portions separate from the general supplies. It is obvious that the supplies could not all be drawn from the same source

**SIR JOHN A. MACDONALD** : It is rather unfortunate to have this discussion without notice. I will bring down the advertisements, which provided that the parties contracting must deliver the articles at the several points specified in the advertisements.

*Motion agreed to.*

**MR. MILLS.**

## GOVERNMENT RAILWAY COAL CONTRACTS.

### MOTION FOR CORRESPONDENCE.

**MR. ROBERTSON** (Shelburne), in moving for an Order of the House for a copy of all correspondence with the Department of Railways and Canals, or its officers, in reference to the extension of contracts for supplying the Government Railways with coal, and the reasons for said extension, as given by reports of officers to the Department, with a statement showing what contracts were extended, showing rates and dates, said : It was customary, under the Mackenzie Administration, to ask for tenders annually for the supply of coal used by the Government Railways. The Acadia, Halifax and Intercolonial collieries in turn enjoyed this contract. The Intercolonial Company's contract expired on the 30th of June last, and it was expected by the other companies that an opportunity would be given them to compete for the supply for the current year. To the surprise of everybody, the contract was continued to the Intercolonial Company, causing great dissatisfaction and much newspaper comment at the time. I am also creditably informed that the agents of these collieries in Charlottetown intended to tender for supplying the Government Railways in that Island, and were assured by Mr. McNab, the Superintendent, that tenders would be asked for, which was not done. My object in moving for this correspondence is to ascertain upon whose report, and upon what grounds, this contract was extended to the Intercolonial colliery without the customary tenders being asked for.

**SIR CHARLES TUPPER** : There is no objection to the information asked for by the hon. gentleman being brought down. In dealing with this question, I was guided by the reports of my officers and the character of the coals supplied by the contractors under the contracts made by the late Government, and I believed it would be in the interest of the public to extend them for the present year. They were therefore extended accordingly.

## INTERCOLONIAL RAILWAY—SUPPLY OF NUT-LOCKS.

### MOTION FOR RETURN.

**MR. ANGLIN**, in moving for an Order of the House for a return showing the

amount paid for nut-locks on the Intercolonial Railway, and the name of the person to whom such sums were paid, the amounts paid for placing such nut-locks on the rails, and any additional cost for supplying cars or locomotives, the quantity of bolts, nuts and other materials used in consequence of the placing of such nut-locks on the rails and the value thereof, the names of any persons employed as Inspectors of the work, and the amount paid as salary or wages to each such person, and copies of any reports received from any of the officials employed on the Intercolonial Railroad since these nut-locks were placed on the rails, respecting the manner in which they answer for the purpose for which they were designed, said: It will be remembered that last year there was some controversy as to the value of these nut-locks, and as to the expediency of using them at all on the railroad. The hon. member for Lambton (Mr. Mackenzie), who might be supposed to have some acquaintance with the subject, was of opinion that they would be of little or no use, and that they certainly would not prove so valuable as to warrant the expenditure of the large sums proposed to be paid for them. According to the information I have received, from what I believe to be good sources, that hon. gentleman's estimate of the value of these nut-locks has proved to be quite correct. I am told by those who profess to know something about it, that the nut-lock is not useful on railroads, but that it is calculated to lead to neglect of necessary precautions in the examination of nuts and bolts on the railroad, the men naturally supposing that the nut-lock would effect all that was promised for it, and relieve them of any necessity for such close examination as before. But that has been found not to be the case. Moreover, I am told a very large number of bolts and nuts were destroyed because difficulty was found in undoing some of them when the locks were to be put on, and others had to be used. I think it would be very desirable for us to know how much the experiment has cost the country, how much has been paid for these nut-locks, and how much has been expended in applying them, as well as how far they have answered the purpose for which they were intended. My im-

pression is that they have not at all answered that purpose, and that the money expended in this way was—I will not say wastefully—but to little purpose expended.

SIR CHARLES TUPPER: I shall have great pleasure in obtaining and laying on the Table of the House the information asked for; and I hope when I do that, I shall also be able to show that the expenditure was a very wise expenditure, that it has been attended with the best possible results; and that, further, instead of the contractors being able to supply the nut-locks at the insignificant cost indicated by hon. gentlemen opposite, they have been put to great cost, and have made very little money out of the transaction. The Department have every reason to be satisfied with the way in which the nut-locks have worked, and the wise and judicious economy that they have been enabled to effect. The track-masters, who have special means of observing the operation of this patent, have stated to me, one of them in particular, who had the largest opportunity of knowing, that, where formerly barrels of nuts and bolts had to be served out at very frequent intervals to maintain the road, a section-man could now take in his pocket all that was required for a long time. My information is certainly very different to that given by the hon. gentleman opposite; my information, from the highest officials down to the track-masters, has been of the most satisfactory character.

MR. MACKENZIE: The hon. gentleman has stated that the cost was infinitely more than was anticipated. He was the champion of this nut-lock business; and it is not very likely that he should find officials giving opinions on the subject adverse to his own. How is it that these nut-locks could not be sold to the Grand Trunk Railway Company, and the other great companies in Canada? There has been nothing of the sort adopted by them; they found them utterly useless. That is the report I have received from officials of different roads; and to adopt them it is to lose money, which the hon. gentleman will find out. I have no doubt about it at all. The hon. gentleman has no doubt made the motion very comprehensive, but it does not quite embrace everything. I am informed that some cars and loco-



tives were placed at the disposal of the contractors, and I would like to have information on the expenditure thus incurred brought down.

SIR CHARLES TUPPER: The contract was, I think, laid upon the Table of the House, and I may say that no expenditure was incurred by the Government outside of that which the contract required.

MR. ANGLIN: My motion asks for the entire cost of applying these nut-locks, and, whether under the contract or otherwise, if locomotives and cars were supplied to the contractors they will cost the country a certain amount, and therefore the information on this point should be included as part of the information asked for.

SIR CHARLES TUPPER: The information shall be as full as possible.

MR. MACKENZIE: I propose that the motion shall be amended so as to include in the information asked for any additional cost incurred by supplying cars or locomotives to the nut-lock contractor.

Motion, as amended, *agreed to*.

#### INTERCOLONIAL RAILWAY — CAR- RIAGE OF SUGAR.

##### MOTION FOR RETURN.

MR. ANGLIN, in moving for an Order of the House for a return showing the quantities of sugars sent over the Intercolonial Railway from Halifax to all other places in the Dominion, in the year ending December 31st, 1878, and in the year ending March 11th, 1880, and the rates of freight, distinguishing the sugars imported from Great Britain, the West Indies, Brazil, and other countries, said: My object in making this motion is to obtain from the returns information on a matter of very considerable interest to all parts in the Dominion. One of the objects to-night to be attained by the new National Policy was the encouragement of the sugar trade, and much has been said with regard to the quantities of sugar which have been imported by way of Halifax during the last year. I have watched the progress of that trade, and there is reason to believe that of the sugar coming to Halifax, only a small portion, at all events not much more than the usual quantity, went into the regular trade of the city of Halifax; and, further, that very small quantities were sent over the Inter-

colonial Railway. In point of fact, while there was a great show of increase in the trade, there was in reality only a very small increase caused by the Tariff. I think it desirable to ascertain the facts in this respect. If 11,000,000lb. or 12,000,000lb. of sugar have been brought from the West Indies last year and landed at Halifax, and then distributed in the way of trade, it must have rendered a very important service to the commerce of that port, but, as far as I have ascertained, such was not the fact. Some of the sugar was never landed at all at Halifax, but was shipped to ports in the United States, and that a portion was sent to the port of Montreal, the markets having been previously secured. I would like to add to this motion, "and the rate of freight charged for transmission of the sugar." I see by the papers that it is stated that twenty-two car-loads of sugar arrived at Halifax from Great Britain; and as I had in view the obtaining of information with regard to the West India sugar trade, I would like, with the permission of the House, to have the information asked for confined to returns of West India sugar imported or sugar imported from Brazil and sent to places in the Dominion by the Intercolonial Railway. These returns will be of interest to all the members of the House. It has been just suggested to me that I should, however, put the motion in another way, namely, that the returns should embrace all sugars, but that it should distinguish between sugar from the West Indies and Brazil and sugar from Europe.

MR. DALY: I think it should be amended so as to give information on the amount of trade done in the port of Halifax, the number of cargoes that have been shipped from Halifax to Montreal. Sugar may have been imported by way of Halifax and forwarded to Montreal. Therefore, the return asked by the hon. member will not show the full extent of the business transacted.

MR. MACKENZIE: That will require a separate motion.

MR. DALY: I think it would be better to add it to this.

MR. MACKENZIE: If the Government have to go to Montreal and other ports to examine the accounts of the harbour offices, it is quite clear that con-

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siderable time will elapse before we get the return. It will be difficult to get what the hon. member asks, but if it can be got it may be very interesting; but what the hon. member for Gloucester asks can be got immediately.

MR. DALY: But it would not really show the point the hon. member for Gloucester wishes to demonstrate. Unless this addition is made the object of his asking for this correspondence will be futile.

MR. ANGLIN: My object is to ascertain how much more business we are doing than formerly. If this sugar comes into Halifax, is handled by Halifax people, stored for a time in the city, and then transmitted to other parts of the Dominion, it must increase the trade of the Province. I want to know the character and extent of this increase, if there be any. If a vessel comes into Halifax, merely as a port of call, and receives orders to proceed elsewhere, the trade of the city is not increased, although the vessel is a Canadian ship employed in the transportation of sugar. We have reason to believe that as many vessels were employed in that trade formerly as now. I think it would be better if my hon. friend made a separate motion asking for the returns he has referred to.

MR. DALY: I would ask to move the following addition to the motion of the hon. member for Gloucester:

Such return to show also the quantity of sugar conveyed by vessels to the port of Montreal from Halifax and Quebec.

SIR ALBERT J. SMITH: If the sugar goes from Halifax to Montreal, it may, perhaps, never be landed at Halifax at all. A vessel may arrive at the port, and parties in Montreal may purchase the cargo, and she will proceed direct to that port. The same remarks apply to purchasers in the United States.

MR. DALY: The vessel would have to be entered in Halifax, and the return would show the fact.

MR. CASEY: I should judge that the object of the motion of the hon. member for Gloucester is to ascertain to what extent the commerce of the port of Halifax and the trade of the Intercolonial Railway has been benefitted by the sugar traffic. It certainly would not give a fair idea of this if the return should include cargoes coming to that port and

which are merely entered and sent to some other port.

MR. MCLENNAN: There seems to be a slight difference of opinion in regard to the returns desired. The mover wishes to know how little the trade of Halifax has been under the change in the sugar duties, and the hon. member from Halifax wishes to know how much it has been. Since the question is open, I venture to say the House will prefer to have the most full and complete returns. I was not surprised to learn that the hon. member for Gloucester made a mistake as to the value of the shipping trade of Canada, but one would suppose that the gallant knight, who was formerly Minister of Marine, would know that the incidental business of bringing a cargo from the West Indies in a Canadian ship is a matter of some value to us.

SIR ALBERT J. SMITH: I did not hear all that the hon. gentleman said, but I think he made some reference to myself. His observations seemed to be predicated on the opinion that all sugar taken to the United States is carried in British bottoms. The returns show that a good deal of the trade is done by foreign ships.

Motion, as amended, *agreed to.*

SHIPPEGAN GULLY CHANNEL, GLOUCESTER, N.B.

#### MOTION FOR PAPERS.

MR. ANGLIN, in moving for an Order of the House for copies of all correspondence, reports of engineers, and other papers respecting the completion of the breakwater and the other works for the improvement of the channel at Shippegan Gully, in the county of Gloucester, N.B., said: This is a matter which relates particularly to my own constituency, but it is also of general importance, since the Shippegan channel is very largely used by hundreds of smacks and small vessels employed in the fisheries in the Gulf of St. Lawrence. In years past, I had occasion, more than once, to bring this subject before the House, and perhaps it will be an old story for some hon. members to hear that in this particular district there has been serious losses of life, owing to the condition of the channel and the want of a harbour of refuge. Some years ago I induced the hon. the Minister of Public Works to

order a survey of the channel, and it was shown that to carry out the improvements then designed a large expenditure would be necessary. One of the plans would require something like \$300,000 to carry out, and another, according to the engineer's estimate, \$180,000. But, although the improvement is of so much importance, as many as seventy lives having been lost once owing to the want of sufficient water in the channel, I could scarcely expect the Government to incur such a large expenditure for what was, in most respects, a work of local character. Some years afterwards, however, with the assistance of a gentleman now in the employ of the Department of Public Works, another system of improvements was devised. It was estimated that by the use of what is known as the brush breakwater, an expenditure of \$20,000 would effect such a deepening of the channel as would make it in all states of the weather available for the numerous fishing-smacks employed in the Gulf of St. Lawrence. At present there is scarcely a place from Point Miscou to Miramichi, a distance of seventy or eighty miles, to which the smacks can run for safety at low water. There is a place known as Little Shippegan, to which, when the weather is not very bad, vessels can run at high-water; but Shippegan Gully should be so improved as to enable craft to run in at all times of tide. It was intended that this brush breakwater should be run beyond the outer edge of the sand-bank, which obstructs the entrance of the gully. It would be much better to have a double breakwater, one at each side, as this would enable us to get a channel for vessels of considerable burden; but we were moderate in our expectations, and simply asked for what was necessary to enable the fishing-smacks to come in at all times of tide, and all kinds of weather. We thought we had succeeded in securing this when the contractor broke down. Other parties took the work up, but they also broke down, after carrying it forward a short time. Then there unfortunately came a change of Government, and there was a lull in the operations. At the time the contractors stopped there was a sum of about \$7,000 of the sum appropriated for the work remaining unexpended. I think

that that sum, judiciously expended, would have been enough to carry out the original plan of extending the breakwater beyond the edge of the sand-bank. I am sorry that the hon. Minister saw reason, last year, to absolutely refuse expending the balance of this appropriation for effecting this improvement. He pleaded that there was no money to spare. I shall not stop to complain that while so many millions of dollars are being poured into the North-West, works of importance, like this, in the Lower Provinces are starved; but I think I have a right to complain that money voted for this work has not been expended. The work will cost more now than it would have cost last year. The sand washed into the channel round the end of the breakwater, is already a serious obstacle in the way of the boats, and the passage, as I am informed, is by no means as good as it was last year. I asked the hon. gentleman who now presides over the Department of Public Works to proceed with this work, but I have not received any assurance that it will be done, and nothing was left for me but to come before Parliament and state the case of my constituents and show how important this work is to the fishing interests of the Gulf of St. Lawrence. I do think, and I believe the House would agree with me, though perhaps the majority would vote the other way if forced to a division—appealing to their sense of equity and fair play—that it was harsh treatment indeed that money voted once and again for so important a work as this has not been expended, and that the work has been left in its present condition. I have no personal interest to serve by pushing this work. I presume, if it were undertaken and finished to-morrow, my interference in any way would not be permitted. I presume, if any favour were granted by the Government, it would not be to me or through me, but to those who have always opposed me. But so much do I value this work, so great an importance do I attach to it, so sensible am I of its great need to my constituents, that I sincerely urge on the hon. the Minister of Public Works to make careful enquiry into the merits of this case. If he does, he will satisfy himself of its importance, and be convinced that if it were completed probably very many lives would be saved within the next year or two; because

very many have been lost during the last few years for want of such a work. I am sure that, having satisfied himself of the importance of this work, he would not allow any party interest to sway his judgment a single moment, but would feel it his duty to ask for a sum sufficient to complete the work.

SIR CHARLES TUPPER: I assure the hon. gentleman (Mr. Anglin) that it was from no indisposition to meet his views that I was not able to expend the money he desired for that work. The only expenditure incurred for this work was to put it in such a state as I believed would prevent it from taking harm in the meantime. I was in hopes the efforts I had made to meet the views of the hon. gentleman would have relieved me from his imputation, that I was not disposed to give fair consideration to the claims of this work, in consequence of the source from which the representations came. The hon. gentleman must see from the appropriations brought down by myself last year for public works of this character, that every possible effort was made to restrict them to the lowest possible amount, in the interest of economy, to deal with works under contract, where it was absolutely necessary to go on with an expenditure to prevent previous expenditures from being thrown away. I had no doubt then, nor have I any doubt now, as to the importance of this work, and I should be extremely glad to find that the hon. the Minister of Public Works was able to deal with it in such a way as to satisfy the hon. gentleman. It was simply because the Government found all possible economy necessary that the work has not been completed as the hon. member for Gloucester desired.

MR. LANGEVIN: My hon. friend the Minister of Railways having settled with the hon. member for Gloucester, I need only say there is no objection to his motion. I believe the hon. member for Gloucester might have avoided bringing in the political question by insinuating that it was for party reasons this work was not completed. He might have saved himself that trouble, and allowed the matter to be discussed on its merits. Of course, he finds it very unfortunate that we occupy the Government Benches, but I do not think the country takes that view.

SIR ALBERT J. SMITH: It does.

MR. LANGEVIN: I think the country is better pleased that each party occupies its present position. If the Government, after further consideration, should discover any absolute necessity for spending money on this work, it will be favourably considered. But, up to the present, the reports have not shown any absolute necessity to proceed with the work this year. Should I get information to the contrary, I will examine the matter free from party spirit, as usual.

MR. ANGLIN: I have no documents or special information to furnish to the hon. the Minister of Public Works, in regard to this work. I might safely refer him to the officer in his Department, who was formerly at the head of a sub-department in St. John, N.B., and who knows something of the importance of this work. If the hon. gentleman cannot, from what he may learn from that officer, and otherwise, make up his mind to recommend the work, I have nothing more to say, than personally to assure him of the importance of this work to several thousands employed in the deep-sea fisheries of the Gulf of St. Lawrence. From personal knowledge I tell him that very many lives have been lost within a few years, because this gully was impassable to vessels at low water. A few thousand dollars, the balance of the appropriation voted by Parliament, would, if wisely expended, be sufficient to complete this work so as to render the passage an open one at all times of the tide for vessels fishing in the St. Lawrence. I do not know that I introduced politics into the question, but I cannot resist the conviction that, if any hon. gentleman on the Ministerial side had as strong a case as this I have presented, the money would, ere this, have been expended on it. So strongly do I believe in the importance of this work; so necessary do I consider it to the large fishing interests of the Gulf, and for the preservation of the lives of the fishermen, that I have felt it my duty to take the present course. I have no other special information, nor other means of carrying conviction to the hon. Minister on this subject, or of touching his heart.

Motion agreed to.

GRAND ANSE BREAKWATER, GLOUCESTER, N.B.

MOTION FOR PAPERS.

MR. ANGLIN, in moving for an

Order of the House for copies of reports of engineers, correspondence, and other papers respecting the necessity for immediate repair of the breakwater at Grande Anse, county of Gloucester, New Brunswick, damaged by the great storm of last fall, and also respecting the importance of extending that breakwater so as to make the harbour of refuge perfectly safe in all weather, said: This was a harbour constructed on a very dangerous part of the coast of the Bay of Chaleurs. To make it a good harbour, a small expenditure is required; but it seems to be quite hopeless to ask for that at present. During the great storm, accompanied by the tidal wave, which did so much damage in that part of the country last fall, the breakwater was badly shattered. I called on the gentleman in that part of the country who had acted as Inspector of this work during its progress, to make to me a special report on its condition, and the amount of repairs necessary, and that I enclosed in a memorial to the hon. the Minister of Public Works, requesting his attention to the matter, and urging him to take immediate steps for prompt repairs; for if another storm so great should arise, the probability was that the work would be completely destroyed. I do not suppose the repairs would cost a great deal; but repairs are required, and I felt it my duty to call the hon. Minister's attention to the fact. I have received no assurance that the repairs will be made, and, as in the other case, I have nothing left but an appeal to Parliament and the Ministry.

*Motion agreed to.*

#### UPPER CANADA LAND IMPROVEMENT FUND.

##### MOTION FOR RETURN.

MR. HESSON, in moving for an Address for copies of all papers and correspondence between this Government and the Government of Ontario, in reference to an award made under the British North America Act, dated September 3rd, 1870, in so far as said award relates to the Upper Canada Land Improvement Fund; also, a statement showing the amount of such sum under said award, the sum since paid, if any, together with the names of the municipalities to which such sums were paid; also, the sums now

due, with the names of the municipalities to which such sums are due, adding interest until January 1st, 1880, said: My attention has been called to this matter on several occasions by the various municipal township councils of the county I represent. It is a matter of very great importance to them. They claim that a large sum of money is due them from this Fund, which was established by the Act of 1853, sec. 14. The description of the fund will be found in the Statutes, in the Act entitled, "An Act respecting School Lands." It will be seen that under the Act 12th Vic., Cap. 200, 1,000,000 acres waste lands of the Crown were set apart and held at \$2.50 an acre, while the other Crown Lands were held at \$2 an acre. A demand was made on the Government of that day for a more liberal land policy. The settlement of the townships was very materially retarded by the miserable state of the roads, and it appears the Government were advised to enact a more liberal policy in connection with those lands, and in consequence the Government, on the recommendation of Mr. Rolph, then Commissioner of Crown Lands, did so, fixing the price at \$2 an acre for School Lands, and that of the Crown Lands at \$1.50, and setting apart one-fourth of the proceeds of the sales of the Public School Lands and one-fifth of the Crown Lands for what is now known as the land "Improvement Fund," to be appropriated to the making of roads and bridges and such works. In consequence of the new regulations, a very large increase of the population took place in a few years, a large amount of the wild lands being taken up. On March 6th, 1861, by an Order in Council, this Improvement Fund was cancelled, but the municipalities interested claimed that all the moneys accruing from the sales, from the date of the establishment of the Fund, in 1853, and up to the period of cancellation, should be appropriated to the purposes mentioned in the Act. The inhabitants of the counties of Perth, Huron and Bruce, very properly claim the Government should carry out its promises, promises on which they were induced to enter the then wilderness. These counties have expended very large sums for the purpose of improvements, at their own cost and entailing heavy liabilities, which would have

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been avoided had the Fund been paid over from time to time, as promised to the townships. They now claim the money should be refunded them. I, as representing North Perth, think this should be done as early as possible. I am aware great difficulties have arisen through the lapse of time, and from other causes; but, nevertheless, I trust hon. Ministers will be able to devote some attention to it during the recess, and that a just settlement will be arrived at. The matter was brought before the Ontario Legislature recently, when the responsibility for the delay was partially thrown on this House. I hope there will be complaints on that score no longer. No less than \$124,685 is claimed as having been received by the Government from the sales of School Lands, from 1853 to 1861, and from the sale of Crown Lands, \$101,771.86, making a total of \$226,456.86, one-quarter of which is claimed by the municipalities interested in those lands, on the School, and one-fifth on the Crown Lands. In North Perth, the townships of Elma and Wallace claim that large sums are due them, the figures for which are now in my hands. Whether the amount is correct or not I cannot say; but I trust the Government will see to some action being taken whereby this matter will be settled as early as possible, and justice done to the municipalities.

MR. FARROW: I am glad the hon. member for North Perth (Mr. Hesson) has brought this matter up. It much concerns several counties and a great many townships, and especially the northern part of the county of Huron. I remember well that when I went into that county, twenty-five years ago, it was a wilderness. The price of the land was \$2.50 an acre for the School Lands and \$2 for the Crown Lands. It then required a good, stout-hearted man to take his axe and go into the backwoods, where the wolf was howling and the bears were prowling about. The hardships were very great, and there were no roads; it was thought, and justly too, that the price charged by the Government for the land was too high. Upon these representations to the Government, a reduction was made in the shape of a fund called the Land Improvement Fund, by which one-fifth of the proceeds of such land should be paid back to the municipalities for improvements thereon. The

municipalities got this money up to 1861. From that date to 1867, the Government paid no money to the municipalities out of this Fund, and the money has remained in the hands of the Government. I am sorry that our friends opposite did not settle this matter when they were in power. The Privy Council confirmed the decision of the Arbitrators between Ontario and Quebec, when they were in power, and I think they ought to have taken it up and given the municipalities their just share. I suppose they were so busy in the elections that they could not attend to it, and I suppose our friends on this side were so busy last year about this National Policy that they could not take it up. I hope they will lose no more time in setting the matter right. The money is the peoples, and they want the Government to pay it over to them. The municipalities paid this money into the Treasury, and those hard-working sons of toil ought not to be kept out of it any longer. The Government was to collect this money for 6 per cent., but it has actually charged 20 per cent. for collecting it. They ought to pay over forthwith the money and the 20 per cent. in addition that they have taken for collecting.

*Motion agreed to.*

#### WASSALL'S BRIDGE PATENT.

##### MOTION FOR PAPERS.

MR. LONGLEY, in moving for an Order of the House for copies of petitions, papers and correspondence relating to the claim of Mr. Wassall, for use by the Government of his bridge patent, said: With reference to this Order, I may say that Mr. Wassall is a Civil Engineer, who resides in the town of Digby, Nova Scotia. He is a gentleman who has attained eminence in his profession. Some years ago he invented a patent for the construction of bridges out of old iron rails. He makes complaint that the Government has been using this patent while refusing to reimburse him for it. Mr. Wassall has forwarded to the Governor-General, a petition setting forth his complaints, and I have asked for the correspondence with the view of moving at the proper time that the whole correspondence be referred to the hon. the Minister of

Railways, who, I presume, will have to deal with the matter in the end.

*Motion agreed to.*

NOVA SCOTIA—GEOLOGICAL SURVEY  
IN QUEEN'S AND LUNENBURG.

MOTION FOR CORRESPONDENCE.

MR. ROBERTSON (Shelburne), in moving for an Order of the House for a copy of all correspondence with the Department of the Interior, asking for a geological survey of the counties of Shelburne, Queen's and Lunenburg, in Nova Scotia, and replies thereto, said: I trust the hon. the Minister of the Interior will see fit during the present season to authorise some officer of the Geological Survey to visit the counties mentioned in this resolution. Nearly every season the eastern counties of the Province of Nova Scotia have been visited by some one connected with the Survey, while the counties which lie to the westward of Halifax have never been reported upon by that Department. During the past year extensive discoveries have been made of the existence of gold and silver in the counties of Lunenburg, Queen's and Shelburne. On the borders of Lunenburg large quantities of iron ore are to be found. If persons who are seeking for mines and minerals have the assistance of official geological reports on those sections of that Province, I think valuable discoveries will be made.

MR. KAULBACH: With respect to this motion I would urge the Government to give a satisfactory answer to the request made by the hon. members for Queen's, Shelburne and Lunenburg last year. I claim that the county I have the honour to represent is very rich in mineral deposits. Several discoveries have been made during the past few years, one of copper, in the northern part of my county, which is said to be very rich, and another, in the western part, which is supposed to be equally so. I have no doubt that many other rich deposits will open up shortly, and so facilitate this very important object, and open up this county, which, I believe, is second to none in mineral wealth in Nova Scotia. I would urge that a geological survey be made at an early date, and would suggest, that as my name appears first in the letter of request to the hon. the Minister of the Interior, and Lunenburg county, the more

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important one of the three, that it be surveyed and reported upon first.

*Motion agreed to.*

SUPREME AND EXCHEQUER COURTS.

MOTION FOR STATEMENT.

MR. KEELER in moving for an Address for a statement in detail, showing the date and duration of each sitting, respectively, of the Supreme and Exchequer Court, since 1875, said: In making this motion for the purpose of obtaining further information with respect to this interesting body, I cannot help thinking that some of my hon. friends who spoke on the Bill I introduced for the abolition of the Supreme Court, were not possessed of the information they should have had, and for that reason I make this motion. I have not had much success in obtaining information of this character before, having made several attempts to get similar information, which, so far, have not borne fruit. On one occasion, last Session, I made a motion, which was passed by the House, and a return was ordered, which has not yet been brought down. I have done the same thing this Session; I think I introduced a motion on the very first day of the Session. I am sorry to say that up to this time, I have had no better success. I hope it will turn out that the Supreme Court is not beyond or above furnishing such information; I hope it is not higher than this High Court of Parliament.

MR. McDONALD (Pictou): There is no objection to the motion passing. I would say to my hon. friend that I regret the information has not been furnished him earlier. On more than one occasion word was sent to the Registrar of the Supreme Court, requesting the information to be forwarded, but it has not been received. I will take care that it shall be furnished at as early a date as possible.

*Motion agreed to.*

BEAUHARNOIS CANAL PAYMASTER.

MOTIONS FOR PAPERS.

MR. BERGERON, in moving for an Order of the House, for a copy of all papers and documents respecting the appointment of Mr. Thomas Brossoit as late Collector of Tolls and Paymaster of the Beauharnois Canal; and also, copies of all

reports and accounts made and furnished by him to the Inland Revenue Department and Public Works Department, while employed as above mentioned, said: I make this motion simply to be able to reply to the strictures of hon gentlemen of the Opposition in regard to the dismissals of which they were talking some days ago. When Mr. Brossoit was appointed Collector on the Beauharnois Canal, the hon. gentlemen on the Left, who were then in power, superannuated a gentleman who could well perform his duties, but who was a Conservative. Mr. Brossoit, at the time of his appointment, was practicing advocate, in the town of Beauharnois, and continued so to be. Fortunately, Mr. Brossoit himself came to the conclusion that he could not satisfactorily perform the functions of his office while practicing as advocate, and he resigned his position.

*Motion agreed to.*

#### BRITISH COLUMBIA—DOMINION SAVINGS BANKS.

##### MOTION FOR RETURN.

MR. DECOSMOS, in moving for an Order of the House for a return showing the names of depositors in the Dominion Savings' Banks, Victoria, Nanaimo and New Westminster, in British Columbia, with the respective deposits over \$1,000, held on June 30th, 1879, and stating the rate of interest allowed on said deposits, said: I have no wish to make this return inquisitorial. I have no personal desire to find out the names of depositors, or the respective amounts to their credit; but I know of no other way of getting at the policy of the Government respecting Savings' Banks. It will be found that the returns of Dominion Savings' Banks in British Columbia show that the deposits have been, in Victoria, \$960,306; in Nanaimo, \$1,040; in New Westminster, \$112,056, making a total of \$1,179,402, on which the Government pays from 4 to 5 per cent. interest. I find that in the city of Toronto the total sum of money on deposit in the Savings Banks, at the end of the last financial year, was \$227,267. There seems here to be a great disproportion between Toronto and Victoria, taking into consideration the relative populations of the cities of Toronto and Victoria. In the city of St. John, the total amount deposited was \$963,366;

total New Brunswick, \$1,705,781. Halifax, \$1,473,695; total for Nova Scotia, \$2,499,406—British Columbia having in the Savings' Banks nearly one-half as much as the Province of Nova Scotia. My opinion of Savings' Banks may be different from that held by the Government. My opinion is that these institutions are created with the object of making the working classes more provident, of laying something by and of drawing interest on it until such time as they can use it to better advantage. It seems to me that in the city of Victoria large sums of money are deposited by capitalists who draw from 4 to 5 per cent. interest. These large sums of money are kept out of circulation, and operate against the prosperity of the country. To carry out the idea of making a Savings' Bank a provident institution, no larger sum than \$1,000 should be allowed to be deposited by any single individual. In these times of great want of faith in banks, I see no objection to the Government taking charge of the money, but it appears to me that instead of the Government paying interest on money deposited by capitalists, they should charge a percentage for taking care of it. The hon. the Minister of Finance will no doubt give the House an explanation of the Government policy in regard to the Savings' Banks of British Columbia and elsewhere.

SIR SAMUEL L. TILLEY: I think there is a serious objection to giving the names of the parties, but there is no objection to furnishing the information asked for. The policy of the Government has been to receive money at 4 per cent. in larger sums than \$100. But if they deposited it on three months' call they obtained 5 per cent. It has been a question with the Government whether it is desirable to continue that arrangement, because at the present time the Government can obtain money on better terms than 5 per cent., and at present the Government is considering whether money should be taken for more than 4 per cent. There can be no objection to furnishing the information the hon. gentleman requires, giving the number of persons who have deposits of over \$1,000.

MR. DECOSMOS: Is the Government prepared to take any amount of money over \$1,000?

SIR SAMUEL L. TILLEY: Sums of



\$5,000 or \$10,000 have been received, and in some cases larger amounts have been taken, but I think it is left generally to the discretion of the officers, who generally refuse to receive large sums for a short period.

MR. BUNSTER: I am considerably interested in this notice, inasmuch as the hon. gentleman has mentioned the city of Nanaimo, which I have the honour to represent. Both the late Ministry and the present Ministry have done a great injustice to that city. I want to draw the attention of the Government to one of the most important and flourishing cities on the Pacific coast, and to the importance of building in that city a Savings' Bank, a Post-office, and a Custom-house. It is one of the most villified cities in the Dominion, but with the assurance from the hon. the Minister of Justice that justice will be done to the city, I will leave the matter in his hands.

SIR JOHN A. MACDONALD: Every justice will be done the city of Nanaimo.

*Motion agreed to.*

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

### After Recess.

#### PRIVATE BILLS.

#### SECOND READING.

The following Bill was read the second time :—

Bill (No. 74) To incorporate the North-West Colonisation Land Company.—(*Mr. Schultz.*)

#### MARRIAGE WITH A DECEASED WIFE'S SISTER LEGALISATION BILL.

[BILL 30.]

(*Mr. Girouard, Jacques Cartier.*)

#### RECONSIDERED IN COMMITTEE.

Order for the consideration of the said Bill, as amended by Committee of the Whole, read.

MR. JONES: I am very sorry to say that I am obliged from a conscientious point of view to oppose this Bill. I think from what has appeared in the press, and from the petitions laid before the House against the Bill—there is scarcely a petition in favour of it—I think that it should not be pressed to a conclusion. I am of opinion that this measure has been brought forward for the furtherance of some private interest, although I do not know what the interest may be. It has been forced upon this House, and I do not see why, without any call for it—without any peti-

tion for it—we should initiate a Bill of this kind. Such legislation has always been refused in the Mother Country, and when the measure comes up for a third reading I shall move an amendment to it.

MR. STRANGE: The Bill now before the House is one that ought to receive a most careful and thorough consideration. The social principle of the Bill has been recognised in Canada for years, and I believe that the voice of the people, when the Bill was introduced, was largely in favour of these marriages. I wish, as an humble member of the Church of England, to state the reasons why I differ from the Bishops of my Church in the position they have taken on the subject. One of the principle reasons, I believe, assigned in these petitions for opposing this Bill is a passage of Mosaic law. As I read it, however, so far from such marriages being prohibitory they are enjoined on the Israelites, and, so far as the Mosaic law applies to us, I think it is equally applicable at the present day. In some instances also the Mosaic law renders it imperative that a brother shall take the widow of his deceased brother to wife. I am of opinion that as far the Mosaic law is concerned there is no objection to the Bill. Another objection to the Bill is that an injustice would be done to the sisters who would take charge of the households of their deceased sisters. I believe that instead of an injustice being done in this regard, that it would place them in their proper position. When we find men in this country occupying high positions, both in the ecclesiastical and civil worlds, marrying their deceased wife's sisters and feeling no conscientious scruples thereat, I think it is a very strong argument in favour of this measure. I remember that only a few years ago the President of the Wesleyan Conference of this country married his deceased wife's sister. The act was regarded as a laudable one, and the lady was received into the best society. I am aware that there is a great objection in England to the principle of this Bill, but I believe that is more an objection of prejudice than of common sense. I cannot conceive that any woman would make a better step-mother than the sister of a deceased wife. It seems to me that no woman is better adapted to act as a mother to a man's children after his wife's

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death than his deceased wife's sister. I think the principle embodied in this Bill is a laudable one, although I am aware that there is a certain amount of objection to it in the Church to which I belong. Still, I can see nothing to prohibit such marriages, and I hope eventually to see in every country, as well as in Canada, that the principle of this Bill will be allowed. I shall therefore have much pleasure in voting for the Bill.

MR. SPROULE: I cannot see any objection to this Bill. In looking over various passages of Scripture, said to apply to it, there does not appear to be anything in them binding or compulsory, and the only passage at all bearing on it is the 18th chapter of Leviticus, 18th verse, but even that does not bear against this Bill. It bears on the marriage of a wife's sister whilst the wife herself is living. Greek and Hebrew scholars, who have taken the trouble to investigate the subject, all seem to agree that the passage has reference only to marriage in the lifetime of the wife. The great opposition comes from the Episcopal Church, or Church of England; but I believe there is a diversity of opinion between the Church of England ministers on this question; and, further, in the House of Commons, they have passed such a Bill, but it has been rejected by the House of Lords. The reason why it was rejected in the House of Lords is easily understood; it is not because there are real objections. It is simply due to the fact that the House of Lords is composed partly of Bishops, and thus by their influence the Bill is successfully opposed there. We believe that there is as much intelligence and as strong a desire among the members of the House of Commons to do justice to this question as in the House of Lords. Well, one party says it is right, and the other invariably says it is wrong. If the members of Parliament, in the Commons, are almost universally in favour of the principle, as I am persuaded they are, and believe there is nothing wrong in it, then why should we not pass the Bill? I think the day has come when we should regard the marriage law as a civil contract, to be dealt with by the civil law, and not to be controlled by ecclesiastical law at all.

MR. HOUE moved:

That the Bill be again recommitted to a Committee of the Whole, with instructions that they have power to strike out, in Clause 2, the following words:—"but nothing herein contained shall affect any rights actually acquired by the issue of the first marriage previous to the passing of this Act; nor shall this section render legal any such marriage when either of the parties has afterwards, during the life of the other, and before the passing of this Act, lawfully intermarried with any other person."

MR. GIROUARD: I do not see any objection to this motion for amendment. I really believe these words are not necessary:—

"But nothing herein contained shall affect any rights actually acquired by the issue of the first marriage previous to the passing of this Act."

I think the subject matter of this enactment properly belongs to the Local Legislature. As to the last part of the paragraph, it seems to me that it is sufficiently covered by the first part of the clause. I had some conversation with some hon. members, who are not now present, and it was considered best to strike out these words.

MR. JONES: I would ask if this is not retroactive.

MR. GIROUARD: The clause, as amended, only renders legal those marriages in which the parties are now living together as husband and wife.

Amendment (*Mr. Houde*) agreed to on a division.

House accordingly resolved itself into Committee of the Whole.

(In the Committee.)

Bill, as amended, ordered to be reported.  
House resumed.

(In the House.)

Bill reported.

MR. LANGEVIN: I would ask the hon. gentleman who has charge of the Bill to allow this report to stand over a few days more, because we may concur in the report on the day when it comes up again, and let the Bill go to a third reading.

MR. GIROUARD agreed to the suggestion.

#### MORTGAGE REGULATION BILL.

[BILL 11.]

SECOND READING.

(*Mr. Orton.*)

Order for second reading read.

MR. ORTON: The object of this Bill is to reduce the rate of interest on real

estate. It is well known that perhaps 70 per cent. of the real estate of this country is encumbered by heavy mortgages. From the Income-tax returns in England we ascertain that no less than \$500,000,000 is lent out by British capitalists. After deducting what is borrowed by the Dominion Government, the Local Governments and the different Municipalities, there is still a very large margin which cannot be accounted for otherwise than by the conclusion that a vast amount of British capital is invested in loans to private individuals in Canada, which must be a drain on the resources of Canada. The object of the Bill is not only to try to stem that drain, but to do justice to the people of this country who are paying large amounts of interest to capitalists in Europe. In fact, Sir, we all know that the operation of loan societies have been of so injurious a character, that it is a wonder the people of Canada have submitted so long to the injustice done, in consequence of the grasping tendencies of the monied men, and especially the loan societies of this country. The effect of all this is a large drainage on the industrial classes, in the shape of exorbitant interest, which has a damaging effect on the welfare of the people. It is not only the means of preventing agriculturists, but manufacturers, and those engaged in the development of the mineral and other natural resources of the country, from reaping the full results of their labour. The interest charged varies from  $7\frac{1}{2}$  to 14 per cent., and I think we might take it as an average that on the money lent to farmers of this country the rate of interest is  $9\frac{1}{2}$  per cent. Agriculture cannot be pursued profitably or give a good return for the capital invested at this high rate. It is impossible for the farmers of this country, especially the older Provinces, to get a good return with a burden of that kind; they must be serious losers. The great bulk of them are simply tenants of the loaners of the money; and these loaners are not residents in Canada, but they are residents of a foreign country. Our farmers are tenants of money lenders living in a foreign country. I think now is the time to speak, while the the country is young—in the early part of the country's history—before money has obtained too much power over this country as it has in other countries. The power which money sways

is one which the masses of the people should defend themselves against. I venture to say that these money-lenders do not count more than one in a thousand. Is the Government of this country, then, going to allow legislation to bear in the interest of one out of a thousand, in favour of the few as against the many, in favour of 4,000 out of the 4,000,000 of our people? I wish to show somewhat in detail how the people, and especially the agriculturists, have suffered from the operations of these companies. I will ask the House to listen to some instances of injustice that have befallen the hard-working classes who have been compelled to have dealings with the money-loaners. I will read an extract from a letter, which shows in as strong a light as possible how unjust the system is:

“In view of the Bill introduced by you, respecting interest, I take the liberty of giving you an instance of the operation of loan companies, which has recently come under my notice as Master in Chancery. A bill for foreclosure is filed against A; and subsequent encumbrancers being called on to prove their claims, a certain loan company proved under two mortgages, in similar terms, on different properties. The company, for example, lent to A say \$2,000, professedly at 6 per cent., for ten years, being \$120 per annum, or for the whole term, \$1,200; the mortgage was taken in 1878 for \$3,200, payable in yearly instalments of \$320, with 12 per cent. fine on overdue payments. The borrower, I suppose, never calculated what he was paying, namely about  $10\frac{1}{2}$  per cent., and with fines, etc.,  $11\frac{1}{2}$  per cent. But the point in the case is that the prior mortgagee, having filed his bill, compels the mortgagor to pay off all the encumbrances on the property, and the loan company, by the rules of their company, which form part of the mortgage, get nine years unearned interest discounted at 6 per cent., or in effect he pays \$1,200 discounted at 6 per cent. for the use of \$1,200 for one year. This is a crying shame upon the legislation of our country. The loan companies are eating up the vitals of the yeomanry of the country. There ought to be a proviso in such mortgages, that if a prior mortgagee forces payment, the interest on the mortgage should cease. If I have not made the above explicit enough, I shall be happy to afford you more detailed information.”

This shows that the borrower is not only obliged to pay the amount of interest that appears on the face of the mortgage—6 per cent. payable annually in instalments, which really brings it up to  $11\frac{1}{2}$  per cent.—but if there happens to be a previous mortgage he is obliged to pay a much more exorbitant amount of interest than he contracted to do. They have the

power to call upon the mortgagor to pay, not the simple amount of the principal with the amount of interest which he has actually agreed to pay, but an amount of 15 per cent. in many instances. I will read one or two other extracts in support of this proposition:

“MOOREFIELD, March 9th, 1880.

“*George T. Orton, Esq., M.P., Ottawa.*

“DEAR SIR,—I see by the papers that you have introduced a Bill to regulate the rate of interest in Canada; should you be able to carry your Bill through the House this Session, you will confer a great boon on the people of this Dominion. I am sure it will be the most popular Bill with the greatest number of people in this Dominion that has come before the House for many years; in fact it will be only second to the National Policy, if not its peer.

“Should you not succeed this Session, it will be sure to pass next year; most likely it will be made a Government measure next Session.

“Our country is spotted over with usurious corporations, like so many plague-spots or gnawing cancers, eating the vitality of the Dominion. Nearly every village and town in the land has one or more self-styled bankers, who act like so many hungry leeches, sucking the life-blood of our farmers, and any others whom they can fasten their fangs on. These festering sores are spreading over the country very fast, and if not stayed by some such remedy as you propose the country will be utterly ruined.

“I will give you an idea of how some of those corporations do business with farmers and others.

“I saw an advertisement in the papers of money to loan at 6 per cent., by an agent of the Provincial Permanent Building and Savings Society, Toronto. I enquired of the agent, who lived in Fergus, and was told by him that I could get all I wanted at that rate by giving good security. I made application, and it was accepted, everything enquired into and papers made out all right, as I thought, and I signed them without reading them over; but when I got a statement, I saw what the whole thing was, but too late. Instead of 6 per cent. I was paying 12 per cent. or over, counting insurance policy, interests and fines, and lawyers' fees. The loan was \$2,000, payable in twenty years, twenty instalments of \$222.40 each year, paying principal and interest in that time. After seven years I wanted to sell. I wrote for a statement to know what I would have to pay to lift the mortgage. The statement called for something more than \$2,300—all that amount, after paying seven payments amounting to \$1,556.80, not including insurance policy, of double the amount of some other companies' lawyers' fees and fines, which would amount to close on \$200 more. Money at such a price is ruinous, sapping the foundation of our agricultural industries, and sending thousands of the hardy pioneers to seek a home under a foreign flag; or move to the inhospitable regions of the North-West, and leave the homes they have laboured so hard and so much to hew out here for themselves and families.

“I will just add up what I have had to pay

for the use of \$2,000 for the space of a little over six years:

Seven instalments, \$222.40 . . . . .	\$1,566 80
Fines, insurance policies and lawyers' fees, say . . . . .	200 00
Balance to take up mortgage at end of seven years . . . . .	2,300 00

\$4,056 80

“You will see by the above what these licensed robbers will do; this is only one instance out of thousands of cases all over the country. I could mention another case, of a private individual in Elora, fully as bad as the above, but I will leave it for another time.

“The foregoing are facts that cannot be disputed, as they can all be proved.

“I am real glad you have taken it in hand, and sincerely hope you may succeed in your worthy undertaking; try and make it retrospective.

“Many people say, and truly, ‘you are the best friend the farmer has in the House.’

“Believe me,

“Your humble servant,

“JOHN D. JOHNSON.”

This gentleman occupied the position of Reeve in a township in my own county, and I will guarantee that he is correct in every statement that he makes. I will read another letter, from a gentleman who was also Reeve of another large township in the west, and opposed to me politically:

“GARA, March 3rd, 1880.

“*G. T. Orton, M.P.*

“DEAR SIR,—Your letter, accompanied by copy of Bill, received. I need not say that I am in harmony with you in the matter, and am of the opinion that it will be the means of calling forth more expressions of approval, irrespective of party, than any former public measure you have had the honour of promoting. There are so many of the people, Grits and Tories alike, that have felt, through their public souls—their pockets—the evil effects that your Bill is calculated to relieve, that self-interest—the most potent public motor—will incline them toward it. From the common classes of men, the almost universal expression that I have heard is in accord with its provisions. Walter Green borrowed \$2,000, payable by twenty instalments, one a year, for twenty years. He paid, for four years, \$220 per year, making \$880, and then desired to have the mortgage discharged; but they—the Trust and Loan Company—would not, unless he would pay \$2,385 cash to do it. Edmond Smith borrowed \$2,000 for ten years, repaying \$320 a year. He paid four years—\$1,280 of the \$2,000—yet, to get a discharge he gave \$1,700, nearly 25 per cent., for the \$2,000, \$980, besides expenses, for the use of less by considerable than the \$2,000 for the four years. I regret that I had not longer time to give particular instances. Men who borrow are, as a rule, somewhat reticent about their loss. Widow Alexander paid 1 per cent. per month on unpaid payments, interest being added each month, beside over 12 per cent. on

the principal; in other words, it was 12 per cent. on principal, and the same on part of same principal, with interest added, compounded monthly. Had I been on the alert a few weeks ago, we could have presented a sad catalogue of wrongs. But we doubt not that every member of the House is more or less acquainted with the grinding and deceptive practices of loan companies, if they are not too weak in the back to brace up against the money power that has to be met in this matter. Though you may not secure the passage of your Bill, yet remember that many great and beneficial reforms have fought their way up hill against powerful odds, and finally triumphed over oppression and wrong. God knows, I do not intend you to apply this to our municipal affairs in Gara at present. Right does not triumph yet in Gara. Public donations thankfully received and gratefully acknowledged by

"Yours faithfully,

"J. JEFF DOBBIE."

I might read a number of letters of the same kind, but I think I have given the House sufficient evidence to prove the extortionate practices of the company. Is it just, in view of all the circumstances, that loan societies should have the power and privilege of exacting 1 per cent. a month from borrowers who are behind in their payments. What a howl there would be, if doctors, lawyers, store-keepers, and others, were empowered to exact 1 per cent. a month from customers who did not pay their bills when due. I call upon hon. members and upon the Ministry, who possess the confidence of the people in such a marked degree, to rise in their might and destroy those unjust privileges. We find that the companies are making great headway in the North-West. The labour of the men, who go to open that country, is seized by the money-lenders. In Winnipeg, their agents can be numbered by the score, and there are many building societies in Ontario which have given up their legitimate business to traffic in this profitable pursuit in Manitoba. We find them in every village and town of this country pursuing their illicit traffic, and destroying the happiness, peace and prosperity of the people of this country. I wish to show to the House that I am not speaking my own mind simply, or talking for popular applause. It matters not to me whether the Bill is popular or not. I have been accused of advocating it for cheap popularity. I do not come here for popularity, but to benefit those I represent, and whether the Bill pleases

or displeases the Government I usually support, I shall endeavour to do my duty in regard to this point for the interest of my constituents and the country. I can show I am backed up, not only by influential individuals, but by corporations. I have here resolutions passed by the corporation of the township of Arthur:

"*The Corporation of the Township of Arthur.*

"Copy of resolution passed by the Municipal Council of the Township of Arthur, on the 6th day of March, A.D. 1880.

"Moved by Mr. Allen, seconded by Mr. Gilmore, That the Bill to regulate the rate of interest on loans of money on real estate or otherwise, is considered by this Council a step in the right direction.—Carried.

ROBERT GORDON,

Reeve.

I have resolutions from the township of Garafraxa and the village of Fergus in similar terms. It is not necessary to add to the proofs I have given that the people demand the redress of their great wrongs in this respect. I hope the House will give this matter its most serious attention. The Bill further proposes to do away with the ordinary transactions of the agents of loan societies, who, it is well known, perpetrate the grossest frauds. Only the other day, in my county, the advertised agent of a loan society, occupying a high position in the community, undertook to obtain a loan for a farmer, and drew the money, which he was allowed to keep for the moment. He afterwards failed, the farmer losing the money entirely, and having no recourse against the loan society. The farmer's farm was thus mortgaged for a very large sum, for which he got no benefit. The Bill proposes to prevent the agent of any loan society or lender of money from being agent of both borrower and lender. Agents sometimes extort large sums from farmers, who do not know where else they might obtain money wanted. Many arguments are used against regulating or fixing the rate of interest; one is, it would drive money out of the country. This country ought to be able to provide all the money wanted in it—all our people require. We have got what many countries with a larger accumulated capital want—an unlimited amount of the best land in the world, and we ought to have the facilities for providing our people with all the money they need at moderate

interest, in order to develop our resources. Therefore, I think that the expulsion of foreign capital would not be a great injury to our people. As to the argument that capitalists would not lend money at this rate, I reply that, if not, they would probably employ it in some other way; they would be obliged to look for their higher interest in developing the internal resources of the country in one way or another—in promoting its manufactures, and in other modes calculated to increase its wealth and prosperity. It is said that money should be as free as any other commodity; and it is asked, why should not its owners get as much for it as they can? My answer is, that we have not all got money, its possessors being very few, not more than one in a thousand, and we are bound to legislate in the interest of the larger class, the great bulk of the people. The Bill aims at abolishing another wrong. Our country store-keepers give unlimited credit to the owners of good farms, men supposed to be well off; up to a certain point they will give any amount of credit, always taking care at the end of six months to add 10 per cent. to the farmer's running account, sometimes 12 per cent. This may continue for years, the debtor getting every facility to buy more goods; but when the store-keeper imagines his customer has got all the credit he can bear he insists on getting a mortgage on his farm for the goods bought at prices considerably over cash rates, which, if not paid in time, is weighted with compound interest of 10 and 12 per cent. every six months. The Bill proposes that no mortgage on real estate shall be valid where any part of the debt shall consist of interest over 7 per cent. Now, our farmers, when crops fail, are often obliged to borrow small sums of \$100, \$150 or \$200. They pay often to the numerous private banks, which advance only when the borrowers are perfectly secure, 12 per cent. I have known many farmers pay 40 to 80 per cent. for loans on short time. The farmer, unable to pay, has his debt doubled or trebled by interest in a few years, and is obliged to give a mortgage, with the usual fatal result. The Bill would abolish that wrong. The lenders of money enjoy another great privilege they have no right to—they pay no taxes whatever. If the rate of in-

terest was fixed, means could be employed by which they would be obliged to pay their legitimate share. Money-lenders grind the money out of the people into their pockets without steam, water power or electricity, or being subjected to the influences of climate or weather; they secure their money from the industrial classes, without any care or responsibility or risk. I think they are the last class that ought to have those special privileges which they now enjoy. We know what the accumulating power of money is, and that it enslaves men in the process. The accumulators, sometimes, claim to be charitable men, living in large mansions, built through wrong and injustice done to thousands of their countrymen. They sit in their fine buildings and glory over the great good they do their fellow-citizens; professing, in the reports of loan societies, to furnish the means of developing the resources of the country, and to be its redeemers. They feel happy because their pockets are full; but if they saw the misery, hardship and trouble they cause, they would experience serious thoughts, and honestly form different views. There is no single cause, why men leave our shores and go to the Republic, more patent than the charging of those exorbitant rates of interest. None get fair play but those who have money to loan. Men who have worked forty or fifty years hewing out homes in the backwoods, and beautifying the country, and building up happy homesteads, have to hand them and their chattles over to grasping money-lenders. No wonder such men leave the country, hoping never to see it again. Another clause deserving attention is, that requiring returns to be made to Parliament, through the hon. the Minister of Agriculture, of all moneys loaned by societies, specifying the foreign and domestic capital. The absence of means of ascertaining the amount loaned on real estate is a great want. Such returns would afford the best index or gauge, better than the imports or exports, of the prosperity of the country. I hope the House will take this question into consideration, and, at any rate, allow the Bill a second reading, so that it may be discussed in the Committee on Banking and Commerce.

MR. PLATT: I think the hon. member

for Centre Wellington (Mr. Orton) feels a little sore on this matter. It appears to me he has borrowed money in Toronto, and has not kept his word or made his payments, and suffered the consequences, and hence feels sore. The borrower sees matters differently from the lender as a matter of course. I remember, twenty years ago, when the Usury Law was in existence, lenders were not allowed more than 6 per cent., but money was worth, in reality 12, 15, 20 and 25 per cent.; you cannot make a law on this subject that people will not take advantage of. It is better to leave money alone; like flour or wheat, it will bring no more than it is worth. You can now get money in Toronto at 7 per cent., but if you interfere with money, you will drive it out of the country.

MR. ORTON: I wish to state that the statement is not correct.

MR. PLATT: I had the proof from the city I belong to.

MR. ORTON: We can get any amount of money in Montreal or Toronto for 6 or 7 per cent. by giving good security. A large amount of capital is coming into the country from England at the present time, and people are beginning to have the advantage of getting cheap money. If we pass usury laws we will find that money will leave the country.

MR. MILLS: This does not seem to me to deal with the subject of usury at all. When that subject comes before the House we may fairly consider it upon its merits. This is a Bill rather to regulate encumbrances upon real estate, a matter that, in everything except the subject of interest, is beyond the jurisdiction of this Parliament. The hon. gentleman undertakes to say now how real estate shall be held, under what circumstances encumbrances upon it shall be valid, and in what cases they shall be void. He undertakes to say how procedure shall be taken in certain civil cases, to give directions to the Registrar of a county in the discharge of his duties, and also to regulate the subject of agency. He provides that an agent who receives over \$5 shall be subject to a fine. It seems to me this whole subject lies beyond the purview of this Parliament. We have nothing to do here with the subject of real estate in the Provinces, though we may deal with the subject of interest. We may say what the

rate of interest shall be, but we have no right to say how parties may deal with real estate, or what sum agents may receive in the discharge of their duties. I do not think, therefore, the Government would be justified in allowing a Bill of this kind to go to a second reading, a measure that, in all its main features, is wholly beyond the powers of this Parliament.

MR. SPROULE: I feel that the hon. member for Centre Wellington (Mr. Orton) is doing an act of justice to a large class in his community by introducing this Bill. Whether we have the power here of regulating interest on money that may be invested in mortgages upon real estate, is a question that I am not acquainted with. But one thing I do know, that if we have a right to regulate interest on money loaned by banks, it seems strange that this Parliament has not the right to regulate the interest on money in other investments. Now, I think that of all loans, mortgages on farms afford the best security for the investment of money. The rules of loaning societies do not allow agents loaning money on farms to loan for more than one-third, or at the outside, one-half the value of the farm. As a consequence, there is a large margin to work upon, and so people look upon investments in mortgages on farms as the best kind of security. Then there are outstanding accounts that, perhaps, have to be rendered every year, and on that class of accounts you can only collect 6 per cent. if they are collected by distraint. If a bank loans you money, it is not allowed by law to charge more than 7 per cent. Its security is not so good as a mortgage, because a bank loans money on almost every kind of security. Then when we come back to the best kind of security, we have a margin to work upon that is larger than any of the others. Again, if we look at the profits that must accrue from banks, it is another argument strongly in favour of lowering the percentage of money in those investments. If a farmer buys a farm, and tries to borrow money on it, he finds he is not able to pay more than 5 or 6 per cent. on the money he pays for it. If he tries to rent his farm, he finds that he can only obtain 4 or 5 or 6 per cent. on its value. If money invested in a farm will only realise that amount when you come to rent it, how is it that

a man is able to pay 10, 12, and sometimes 15 per cent. for money that has been loaned to him on that farm? The history of these transactions generally seems to be the same. A man goes into a new country and buys a farm for \$1.50 an acre. He pays the Government interest at the rate of 6 per cent. on the money. After he has cleared up a little land, perhaps an agent of some loan society comes to him and tries to induce him to borrow money on his farm. The agent offers him all the money he wants at a low rate of interest, and induces him to borrow not only enough to pay the land, but enough to build a barn, or a house, or to buy stock. Very few men of his class calculate the amount of interest they would have to pay for the money thus borrowed, nor understand what it will cost to pay that mortgage on the farm. With a little care and economy he could get along without borrowing. But these agents are distributed so thickly through the country, that it is to their interest to persuade the farmers to borrow money of them. The man borrows money at, say 6 per cent. interest, and pays off the indebtedness of his farm. He pays one or two payments. The mortgage is made usually so that he pays that money back in several equal annual instalments. He makes, perhaps, three or four payments, has a succession of bad crops, and is unable to raise enough money to keep up the payments. He falls behind, there is a fine imposed upon him, and he finds he has got to sell his farm or re-mortgage it again, if it is worth enough so that he can raise any more money on it. He goes through the same transaction again by force of circumstances, and is compelled to accept that company that offers money on the most advantageous terms. He struggles on year after year, and perhaps, if he is fortunate, he manages to sell his farm. If he makes a calculation of the amount he is still owing, strange to say, he finds that it is nearly as much money as he borrowed in the first place, after all the money he has paid in interest. He is therefore compelled to sell, and go back to the old trade of a hewer of wood and drawer of water. There are various ways of investing money. We can invest it in mortgages or in manufacturing establishments, or in

a hundred other ways that will yield fair remuneration. In looking over the returns of the different banks, I find that their stock is quoted at 153 and upwards, while of the loaning societies the stock of the Canada Permanent is quoted at 184½; the Western Canada, 153; the Union, 134; and the Canada Loaning Society, 136. Now, if the banks are restricted to 7 per cent., and their business yields a profit with economical management, and still their stocks stand so much lower than those of loaning companies, I think we ought not to allow these latter to have more latitude in their investments than the banks. I think it is essentially necessary, in the interest of a large class in this country, that we should pass some stringent law to regulate the interest on investments of that kind, and to make rules so plain that farmers may understand what they are doing with their money. I claim that to-day they do not understand the principle in borrowing money from these societies. You cannot find two men in this country who can calculate the rate of interest exacted by two or three of the loan companies, and arrive at the same conclusion. When these societies loan money to farmers in this underhand way, they are really doing so under false pretences. They pretend to charge only 7 or 8 per cent., but a calculation shows that at the expiration of a given time the farmer has paid from 10 to 15 per cent. I know this to be the fact, because I have borrowed money myself, and have paid it in half-yearly instalments, and I know that after that money was paid it amounted to 15 per cent., and I paid no fines at all. Now, if that is the case, according to the conditions that are embodied in these mortgages, what must be the condition of things when a fine is imposed, when a fine in some cases every month is added to it? It runs on for a few years until the whole capital of the farmer is taken from him and he is left in a worse condition than before he bought the farm at all, after having laboured many years in clearing it up. I think it is very desirable that if this House is prepared to pass any such law, it should pass some law regulating interest in that direction. While I would not fall in with every feature of the Bill, it would be against the interest of a large class of people that it



should be voted down or given a six months' hoist, because I think that when it gets into Committee these objectionable clauses may be so modified as that the Bill may prove a great boon to the farming community.

MR. LANE: I do not think we can undertake successfully to regulate the value of money. I have an idea that people wanting to borrow money have a right to make such arrangements as they see fit as to the rate of interest they will pay for it. I know from personal experience, and from my knowledge of the affairs of the country generally, that these loan societies are in the habit of imposing to a certain extent upon their customers, but, at the same time, there is no doubt whatever that the parties borrowing money from these societies really require the money, and judge it best in their own interests to borrow it. I do not think that the farmers, or any other portion of the community, would be benefitted by a restriction such as is here proposed. I do not see exactly how legislation can be applied in the interest of parties borrowing. Some hon. gentlemen who have spoken on this subject are under the impression that money may be regulated by Act of Parliament. I do not think that is the case. I do not think we can to the advantage of the general public regulate the amount of interest that anyone has a right to receive for the money he loans, and I do not see why money should not be placed in the same category as any other property, belonging either to public bodies or to individuals. If a man has \$10,000 to loan, it is to the advantage of the public that he should be allowed to loan it on whatever terms he can agree with the borrower. If he is not allowed to do it in that way, he certainly will not do it at all, and will invest his money in a way that would be probably less advantageous to the public than if he had loaned it, at a rate of interest that by some hon. gentlemen might be considered too high. This question of interest is one that has been discussed for a great number of years in this country. It may be a very popular cry amongst the farming community; but I do not see that the proposal contained in this Bill would be in the interest of the public. People will not invest their money unless they can

profitably invest it. Some hon. gentlemen have given instances in which loaning societies have been guilty of extortion. I have no doubt that this is the case, and if we could in any way pass an Act to bring them under certain regulations, perhaps it would be advantageous, to the farming community especially. Notwithstanding all that has been said on the subject, the regulation of the rate of interest should not be attempted by Act of Parliament. I believe that whatever law might be passed upon this subject would be evaded. When a farmer becomes financially involved, he must pay the rate of interest demanded or go without. In the majority of cases, the farmer does not borrow money unless he can turn it to advantage. I know there are some farmers who borrow with a view to selling their land, but there are very few of that kind. When this is done, however, it is principally the fault of the agent and not of the company. I am of opinion that this Bill should not pass, and I do not think that the common sense of the House will allow a Bill of this kind to pass.

MR. CASEY: The Bill before us is one of a kind that very frequently crops up early in a Parliament, intended to catch the favour, and, if possible, the votes of some class of the community. And I consider it almost an insult to the class which I specially represent, that the farmers should be chosen as the class supposed to be the most gullible and the most likely to be entrapped by a measure of this kind. It seems to me absurd, at this period of our history, to introduce a Bill which seeks to limit the rate of interest at all. Why it should be thought more proper to limit the rate of interest to be paid on real estate security rather than the interest paid on any other security, I am quite at a loss to imagine, nor why such a proposal should have been made, unless for the purpose of catching the vote of that class who are chiefly interested in real estate. To come to the root of the matter, what is the nature of this payment, called interest, which we are asked to limit? It is a payment of exactly the same nature as rent paid for land or wages paid for labour. Why do you pay a man wages for his labour? Simply because his labour is worth something to himself, or

would be worth something to any other employer, and he foregoes the benefit he might derive from working for himself and the pay he might get from somebody else. These are the two factors which go to make up the rate of wages. You pay him then for something he foregoes and you enjoy. It is exactly the same in regard to the rent of land. When you rent a piece of land you pay the owner for its productiveness, which benefit he foregoes and you enjoy. The rent depends upon the fertility of the land, which is the chief factor. What is the difference between these cases and the case of interest. Absolutely none. When a man lends you money, you pay interest for the capital furnished, whether in the form of bills, notes, or coin. Why is interest paid on capital? Simply because the lender foregoes the profits he might make out of it himself. Interest will bear a fixed proportion to the average productiveness of capital in the country at the time the loan is effected. It will depend, in spite of all legislative efforts to regulate it, on the amount of available capital and the average profits of that capital, when productively invested. Consider how it varies in different countries. In England, where capital is very plentiful, the rate of interest is invariably low. In Canada, where capital is not so plentiful, the rate of interest is comparatively higher. In Manitoba, where capital is very scarce, and where the employment of capital yields very much larger profits, the rate of interest is extraordinarily high. I understand that from 12 to 15 per cent. is not considered an extremely high rate, and the borrowers make a profit out of it even at these rates. Here we consider 8 per cent. to be a fair rate, and 10 per cent. very high. It perhaps did not occur to the introducer of the Bill, that the average rate of interest might not be the same in every part of the Dominion. He desires to fix the rate of interest on money borrowed in Manitoba at the same rate as on money borrowed in Ontario or Quebec, or any other Eastern Province. He has not considered that money is worth more to the borrowers in Manitoba than it is here, and that it is worth more here than it is in some of the other Provinces. It appears to me as ridiculous a task to attempt to regulate the rate of

interest as to attempt to regulate the rate of profit all over the Dominion. It is clear then that the rate of interest is naturally guided by considerations I have named, the abundance of capital and its average productiveness. Is it possible to disregard this economic law, and prevent the rate of interest from going beyond a certain figure. I say, emphatically, it is not. The experiment has been tried again and again. The hon. member must be aware that usury laws have been tried in various countries as well as our own, and they have always been found to be miserable failures. If such a law were now to be put in force, one of two results would follow. Either some ingenious lawyer would devise a plan for loaning money at higher rates than those named in the Act, or lenders would refuse to make loans if they could not get the average rate of interest. If the hon. gentleman's Bill passes, either the farmer could not negotiate loans at all, or he would have to pay by a roundabout and illegal method much more than the market rate of interest. I think the question requires very little further consideration, as far as the general principle is concerned. With regard to the particular provisions of the Bill, there is perhaps one that appears to be of a beneficial character on a cursory reading. Section 3 provides "that mortgages on the instalment plan which require annual payments on principal, while interest is paid on the whole sum for the full term, shall be illegal." That section appears to me to be intended to prevent the lending of money in such a form as to deceive the borrower, and give him the impression that he will have to pay less interest than is really exacted. I am not prepared to say that such provision would be improper. Indeed, I think it proper to protect the borrower, who is not versed in the intricacies of mathematical calculations, against deceit practised on him by loan companies. It might be proper to provide for the insertion in mortgages of some clause by which the borrower might know exactly what rate of interest he is paying, though it might be possible even under some such arrangement not only to gull the borrower, but to deceive the law itself. But that particular section, I think, touches the real evil; and the Government should give attention to the ques-

tion. I repeat that it is very hard that the farming class should be selected to be gulled by measures of this kind. I say it is scarcely possible to use strong enough language in denouncing Bills of this kind, which lead people to believe that something can be done which cannot be done, which stir up dissatisfaction with the existing state of things that cannot be remedied. It is also unfair to all other members of the House who are compelled to follow their own convictions and their knowledge of the ordinary principles of economics; and not only this, but it has the effect of demoralising public opinion, leading the public to believe that the Government can do anything for them in the way of giving them money at cheaper rates than it can be got for in the market. They might as well profess to provide the manufacturer with labour at a lower rate of wages than it is worth in the market, or to provide tenants with land at a lower rent than it was really worth. You might as well try, Sir, although the cases are not exactly similar, to fix the price of any commodity in the market, because, although money is not sold, still the interest is the amount of rent that the money will fetch, and it is as inevitably fixed by supply and demand as the price of wheat, or peas, or pork. It is not unnatural that such a measure should be introduced, however, after the example set by the Government. They have led the farmer to believe that legislation could better his position by artificially increasing the price of his produce; and the hon. member for Centre Wellington now wishes the farmer to believe that the economic laws which rule the rate of interest can also be broken up in his favour so as to reduce the price at which loans of money can be obtained. The farmers know better though. There is no more intelligent class in the country, and they know that money cannot be obtained forcibly below the average rate, and that if prevented from getting that rate the lender would not lend it at all. They will know that this Bill is—if I may use the expression without being unparliamentary—a humbug; and that it is one which could not be rigidly enforced, but which would lead, in fact, to heavier burdens being heaped upon them. For these reasons I am afraid my hon. friend from Centre Wellington will not reap the fruit

MR. CASEY.

of his uninterrupted efforts to make himself popular with the farmers.

MR. BLAKE: I think that the main object of this Bill, so far as it is within our jurisdiction, is opposed to sound notions upon the subject; but there are some points upon which I believe some legislative provision would be useful either here or elsewhere. Nobody, who has watched the condition of affairs at which the hon. gentleman's Bill is directed, can fail to be convinced that free-trade in money has proved to be an advantage, that freedom from legislative restriction is the best rule, at any rate, in this matter. I am old enough to remember what was the state of things before we had free-trade in money. Mortgages were created at legal interest for sale, and were sold at a discount. This double machinery involved increased cost to the borrower; but besides there was a certain risk under the existing laws, and that risk the borrowers had to pay for in the shape of a higher rate of interest than would have been exacted if the lender had not had to incur that risk. Since the Usury Laws have been abolished, as a consequence of freedom of trade in money, there has been a gradual accumulation of domestic capital which naturally flowed into the most profitable channel, and which is represented partly by the large sums invested on mortgage by private lenders, and by the vast amount invested in the stocks of loan societies, and also by considerable sums lent on deposit to these societies, who invest their resources on mortgage. There has also been a very large influx of British capital, tempted by the higher relative rates of profit attainable here. I quite admit that some few private lenders in Ontario, who had kept within the law, took advantage of its repeal to raise their prices; and that thus, in some instances, there was a temporary raising of the rate, which affected the price of money in isolated places, pending the influx of capital. I believe, further, that in Quebec there was, among the lenders of money in the rural districts, a very considerable rise in the rate. The truth is that special circumstances had largely influenced the question. The influence of the clergy among their flocks had been strongly and most properly and effectually exercised to prevent the violation of the Usury Law. It was almost impossible for

those who lived in the rural parts to send elsewhere their small accumulations of capital; and thus they were lent in the neighbourhood at low rates. When the Usury Law was repealed, the rural restraint ceased and much higher rates were charged. I presume that these have been modified by the operation of the general law of supply and demand; but even if circumstances have prevented that law having its full operation, you must not suppose that to re-enact the provisions against usury would restore the good old times. It would be impossible now, after the experience lenders have had, to induce them by any pressure to lend their money below its value; and if they would not find devices, as they have done before, to evade your Act, they would make other uses of their capital. It would flow away from the locality. To return to Ontario. I remember that about twenty years ago it was not difficult to get investments on the best farm lands in Ontario, as safe as if in the Bank of England, at a rate of interest as high as 14, 16 or even 18 per cent., payable half-yearly. You can now freely borrow in Toronto, on prime security, at 7 or  $7\frac{1}{2}$  per cent. interest, payable yearly. I have a letter from a gentleman conversant with the business, in Western Ontario, stating that there never was such a competition for investments on mortgage, and that money is freely offered at 7 per cent. interest, payable yearly. We have thus found the beneficial results of freedom of trade in the accumulation and influx of disposable capital, and a steady reduction of the rate of interest; and the proposed interference with that would be, in my opinion, not merely useless, but mischievous. There are, however, some points which may form a proper subject for legislation here or elsewhere, with a view to curing certain evils which have arisen in connection with the system of lending by loan and building societies. There have been evils of three kinds. The first is that these societies, while lending on what is, in my opinion, a wholesome system for the farming community, a system involving the payment of the capital borrowed, and of the interest thereon, by equal instalments, composed of principal and interest, payable yearly, during a long time, have exercised the powers conferred on them by the exaction of large fines for arrears,

under rules unknown to or not present to the minds of those who borrow from them, to the oppression, in many cases, of the borrower. I do not object to the compounding of interest; I say it is perfectly fair. If I contract a loan with you, upon which I agree to pay you 10 per cent. interest yearly, that you should stipulate with me that if I made default in paying the interest at the agreed time, I should pay you interest at the same rate upon the sum in default. That is fair. Nor perhaps can one logically object to the extension of that system by providing a higher rate, if the borrower knows what he has contracted for in that respect. But if there has been delusion or deception practiced by means of these rules, or if they have not been made known clearly to the borrower, then I do object. Under the actual circumstances, a very much higher rate of interest and profit is nominally obtained by the society, by reason of the man getting into arrears, than if he should keep up his payments, a much higher rate than he is led to believe he has stipulated for. Much mischief has thence resulted in times past, and still results. You tell a borrowing farmer you are charging him 10 per cent.; but under your rules, of which he knows or understands nothing, in case he makes default, he is called on to pay you 1 per cent. a month, or 12 per cent. a year. Now, the whole advantage of this peculiar scheme of borrowing is, that it gives to the farmer the opportunity of reducing by a manageable and equal yearly payment the incumbrance, and this advantage is diminished by any plan which makes it the interest of the lender to encourage arrears. It is indeed the true interest of both parties to avoid them. For the loans are often made on a narrower margin, in view of the anticipated yearly reduction, than would be thought safe were the whole principal to stand for a long term of years, and thus, by making haste, in this sense to become rich through arrears, many losses have been made by the lenders, which, of course, means that many borrowers have been ruined. I believe it to be best for both parties that neither party should gain by defaults; but that the same rate of charge should be exacted on arrears as was stipulated for on the loan; and the considerations as to the deception prac-

ticed on borrowers, to which I have adverted, influenced me as a member of the late Government to propose such an interference with regard to companies under our legislative control as is contained in the proviso to the 97th section of the Joint Stock Companies Act of 1877, which reads as follows :—

“ Provided always, that no fine or penalty shall be stipulated for, taken, reserved or enacted, in respect of arrears of principal or interest, which shall have the effect of increasing the charge in respect of arrears beyond the rate of interest or discount on the loan,”

I think it may be usefully considered whether we should not extend this provision to the like cases which it does not now cover. The second point to which I wish to advert is one of great importance, in view of the mode frequently adopted, by which a particular amount, being but the principal and interest, are blended, and a fixed equal, annual re-payment, including principal and interest, is agreed for; it not appearing on the mortgage what is the real rate of interest, and the calculation being so complicated as to be quite beyond the powers of ordinary borrowers. I regret to say that by some, but only some, of these societies, deceptions have been practiced on the borrowers in this matter. The advertisements have stated their rates of interest at moderate figures, but these figures have been reached, so far as I can judge, by no proper calculation, by no honest process. It is quite impossible that some of these rates can be justified. To reach them the borrower cannot have been allowed interest, or at any rate he cannot have been allowed interest at the rate charged him on his repayments of capital; and it is a painful thing to say that thus borrowers have been too often deceived. There are many societies, I believe, which act honestly in this matter, but the opportunity for deception exists; it has been too freely used, and some remedy, here or elsewhere, should be devised for it. I think that in all loans which are not what are called “straight loans,” that is loans repayable with a rate of interest specified in the mortgage, that instrument should contain a declaration of the amount really advanced, and of the rate of yearly interest to be paid;

then the borrower would know the true rate of interest, and that rate of interest would govern the case in any Court in case of a dispute at any time touching the amount enacted for these mixed repayments. The third proposition; which I venture to put forward, relates to the repayment in France of long loans. Some loan societies issue loans repayable at a great interval of time, sometimes at fifteen and twenty years. This is often an excellent thing for the borrower; and I think it a very good plan for farmers in many cases. But it is liable to abuse. It sometimes hampers the disposition of the land and thus interferes with freedom in that respect; it sometimes happens also that long before the end of the term the borrower finds himself no longer in want of the money; he would repay it; but he is nevertheless burdened with the payment of interest which he could very well save. True, he is told by the society that he can repay in advance, and will be credited with interest on his payments; but the rate at which he is credited is greatly less than the rate charged on the payments to the end of the term; and the consequence is that here again the borrower is deceived into his bargain. He has to pay an enormous premium for the privilege of repayment in advance, a premium of which he would have no adequate conception from the representations made to him. Here again I speak only of the customs in the past of some societies. But the opportunity for deception is so great, and has been so widely used that it might be well to provide that, whatever the length of the loan, the borrower might, after the term of say five or seven years, repay the principal and interest to the date of payment, on six months' notice, or by paying six months' interest, and so discharge the loan. I believe that much of the existing difficulties has been created by loan agents, who pursue a similar practice to that adopted by fire insurance agents in former days. I dare say it has occurred to most of us to have an application from our insurance broker to insure in a fresh company. It puzzled me at first, but I found the reason was that if my broker only got my renewal for the old company he received a small fee; while if he gave the risk to a fresh com-

pany, he would get the initial commission at a higher rate. So with the loan companies, changes have been made by borrowers at the instance of an agent, simply because a fresh commission would be obtained upon the new loan, although the old company would have continued the loan at as good a rate. I believe there are instances in which loan societies have obtained memoranda from the registers of the mortgages made to other societies, with the view of offering to the borrowers nominally cheaper money, and thus paying the earlier loan. What between these efforts of the loan companies and the agents, it would be impossible for the business to be carried on if there were not some permanency in the loan. The protection to which the societies at present resort is the extra price for redemption in advance, and the payment of this price, together with the agent's charges, make the change frequently unprofitable to the borrower. These companies conduct a large part of their business on a tolerably narrow margin. They borrow at one rate, and lend at a higher rate. Out of the difference they must provide for all losses and expenses, and find a profit besides. If under such circumstances they were liable to immediate re-payment at the option of the borrower they could not carry on; and in the end money would become dearer. The risk would so affect transactions that the interests of borrowers would in the end suffer. Therefore, I should not propose to give a statutory right of redemption, apart from contract, at a date earlier than five or seven years. In truth the evil has, to a great extent, been caused by the operation of the great general law of supply and demand, which the hon. member for Centre Wellington attacks by this Bill. The operation of that law has produced such an abundance of capital that lenders are not any longer masters of the situation; straight loans are taken at from 7 per cent.; and in many cases power is given to the borrower to pay at any time on six months' notice, on reasonable terms.

MR. WHITE (East Hastings): There are only one or two companies that permit that.

MR. BLAKE: I think there are more; but I will tell the hon. gentleman this,

that, in the present state of the money market, what one or two respectable companies do others will be obliged to do also, because there is such a competition for investments that those giving exceptional advantages will get the cream of the business.

MR. WHITE: When the parties come to pay the loans back to the societies from which they borrowed them, they pay down so much extra interest, that it would be better to stick to the old companies than go to the new. As to existing transactions you cannot interfere with them. No Legislature would venture to unsettle the foundations of property and of order by a wholesale interference with contracts lawfully made. But, as to the future, I have stated to the House what my remedy would be, namely, a statutory right, no matter how much longer the stipulated time, to redeem after five or seven years on six months' notice or payment of six months' interest without any further charge. It would, I think, be the best, and an adequate remedy. I have now to repeat that, having suggested the three principal points for consideration here or elsewhere, I do not think they can be reasonably said to be within the principle of this Bill. Its principle and essence is an attempt to reduce the rate of interest by legislation. Its theory is vicious; and its adoption would defeat the end proposed, and work infinitely more harm to the borrower than to the lender; and, therefore, I cannot give it my support.

MR. PLUMB: I think that the hon. member has done a signal service in introducing this Bill. I did not have the pleasure of hearing the remarks which he made in favour of it, but I can well sympathise with him and truly congratulate him on having brought this important matter up for discussion. I have heard, however, the attack made upon my hon. friend by the hon. member for West Elgin (Mr. Casey), which was quite characteristic of that hon. gentleman. He not only discussed adversely, and in his usual flippant style, the principle of the Bill, but travelled out of the way in the most erratic manner, and ingeniously, if not forcibly, took both sides of the argument. He accused my hon. friend having attempted, in introducing and advocating his Bill, to hoodwink and deceive

the farming community, who, he assured us confidently, could not be hoodwinked in any way. In almost the next breath he told us that the farming community had been hoodwinked into supporting the National Policy, which is a perennial fountain of bitterness, of which himself and his friends are compelled daily to drink. His argument, as they bore upon the Usury Laws, were too trite and too feebly put forward to merit special attention. They may or not be prompted by selfish considerations. There is a wide difference of opinion upon the subject of usury laws. The hon. gentleman from West Elgin spoke upon the question as if my hon. friend from Centre Wellington had taken ground in attempting to restrict the rate of interest, which had been abandoned by common consent. Now, I can tell the hon. gentleman that there is by no means a consensus of opinion on that subject. One of the greatest States of the American Union—and I commend this fact to hon. gentlemen who are constantly quoting the United States, and enforcing their arguments by referring to its example—the State of New York, a year ago passed a usury law, by a large majority of its Legislature, to the following effect:—

*“ Statutes of New York, 1879, Cap. 538.*

“Sec. 1. The rate of interest on the loan or forbearance of any money, goods or things in action, shall be \$6 upon \$100 for one year, and after that rate for a greater or less sum or for a longer or shorter time. But nothing herein contained shall be so construed as in any way to affect any contract or obligation made before the passage of this Act.

“Sec. 2. All Acts, or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

“Sec. 3. This Act shall take effect on the 1st day of January, 1880.”

I am not wholly in favour of that legislation, and I only cite it to show that my hon. friend who introduced this Bill is in accord with a large proportion of the community whose Legislature passed that Act. I do not altogether approve of his Bill, but I think the House is under very great obligation to him for having brought it forward and eliciting the discussion which has taken place to-night, and particularly for affording the hon. member for West Durham an opportunity to give the clear and lucid statement to which we have just listened. That hon.

member stated that there is a very substantial grievance in respect to the manner in which companies who make it their business to lend money on land have transacted that business. I rose more particularly to advert to one point, and that is the habit which is prevailing among certain chartered loan companies, calling themselves respectable, having directors and shareholders who, in their individual capacity, would not stoop to gain advantage or profit by means of the misrepresentations of their agents, or through the ignorance of their customers. I refer to the practice of concealing from the borrower the actual rate of interest, which his contract compels him to pay, a concealment effected by various devices, such as payments of principal and interest in yearly instalments, not distinguishing principal from interest. A case came under my observation in which a neighbour of mine effected from a loan company, in Toronto, a loan upon his farm, one of the most valuable on the Niagara river. The security was ample. The loan was for \$8,000. I think it was represented that the rate of interest would be about 8½ per cent. on the loan, which was to be repaid by instalments, the whole amount to be paid in the course of a certain number of years. He asked my advice in the matter and I showed him, by means of a simple calculation, that he was paying a much larger rate of interest. The agent told him that he could convert his loan into a straight loan, which I suppose is in contradistinction to the crooked one into which he had been entrapped, on interest at the rate of 8 per cent. per annum, the principal payable in a lump sum at the end of the term of the loan. I advised him to convert it immediately. He went to the company; they told him “Yes, you can do that, but you will have to pay the difference between the value of the amount of the existing loan and one yielding 8 per cent. The sum demanded seemed exorbitant. I went to the company and told the manager that the loan had been effected either through misstatement or misunderstanding. That their agent had led the borrower to believe that he was paying but 8½ per cent.; that it could be converted into a straight loan at 8 per cent.; that there were witnesses to the bargain, and, if the wrong was not remedied, I would expose it. After great

annoyance, expense and delay, my friend succeeded in getting out of the clutches of the company, and the money was lent in a direct, straightforward way by a firm, of which my hon friend from West Durham is at the head, at 7½ or 8 per cent. interest. Complaints of transactions of this character have been universal. I have suggested to several directors of loan companies that I think it would be proper for Parliament, or any Legislature which had jurisdiction, to pass an Act, whereby the rate of interest should be fairly declared in every contract made by the companies, and that any excess should cause the whole rate of interest to be forfeited. The companies are bound by every principle of honour to state to the people who borrow from them exactly what rate of interest they will have to pay.

MR. WHITE: They will never do it unless they are compelled.

MR. PLUMB: Well, I believe in compelling them then; and I had a short Bill prepared for that purpose, but, owing to the pressure of other business, and my inability to consult my friends about it, I have not yet decided to introduce it. I trust that this discussion will cause the House to carefully consider whether the abuses should not be stopped by means of legislation. I desire to say that I do not by any means intend to convey the impression that all, or even a considerable number of loan companies, resort to the unworthy devices complained of; many, and I believe most of them, are conducted in the most honourable and straightforward manner, and have been of great service in introducing British capital into the country. I fully agree with the hon. member for West Durham, that there should be a limit to the time of long mortgage loans. I believe that long loans frequently hamper property in such a way as to be seriously detrimental to the interests of the borrowers or those who may be their successors, either by device or otherwise. I very much regret to say that, although I sympathise with my hon. friend (Mr. Orton) in the feeling which has induced him to bring this Bill forward, I am not in favour of it. I do not think it would effect the object he has in view. I do not believe the rate of interest in this country can be lowered by the kind of

legislation he proposes. I do not believe the Bill, if it should pass, would effect the objects it seeks to attain, and, while I am very glad this discussion has taken place, I feel myself constrained to vote against the Bill.

MR. BUNSTER: The importance of the Bill, I dare say, will sufficiently recommend it to the favourable consideration of the House. Notwithstanding the remarks of the hon. member for West Durham (Mr. Blake), particularly his allusion to British Columbia, in which he states that it is not proposed to lend any money to British Columbia, I favour the Bill. He should know that British Columbia is not a borrower from the other Provinces of Canada. On the contrary, Canada is indebted to British Columbia for not carrying out her contract. Notwithstanding that, the hon. gentleman never loses an opportunity of casting an ill-natured complaint at British Columbia. That Province has been branded as an inhospitable country and sea of mountains. He cannot think, however, that his feelings are so particularly hostile as he would represent, but he speaks for party purposes. British Columbia has plenty of gold, and men to take it out of her mountains.

AN HON. MEMBER: Not the Chinese.

MR. BUNSTER: We do not want Chinese; hon. gentlemen can go on interrupting if they like. If they think that British Columbia has not rights on the floor of this House, they can say so, and the Province will be more cheerful in withdrawing from the Union than Canada will be at the sight.

AN HON. MEMBER: Let her withdraw.

MR. BUNSTER: Five years indebtedness has been spoken of. The party of the hon. member for West Durham was in power five years, and can we call their rule favourable to the interests of the country. The hon. member says "yes," but there are not five outside his party's ranks who could say those years were prosperous. Since the National Policy was introduced the country has exhibited a degree of prosperity never before shown. Lumber that covered the flats in Ottawa is moving off. Previously, there was no inducement to move it away; it is going to the North-West to build happy homes for the people. The question affects every



household in the land. It is a question of interest—not political interest, but the interest of the people—whether money should yield 7 or 12 per cent. I am sorry that a Bill intended to benefit the working classes should not have received the support of every hon. gentleman. I regret that a Bill like this cannot be introduced without sneers over British Columbia and attempts to run it down. To-day it is the only Province that exports more than it imports. Its resources invite the whole happy family of Europe to come to the Province and make in it happy homes. The Bill would be in the interest of the country. A similar law prevails in the United States, which have set us a good example in this respect.

MR. DOMVILLE moved the adjournment of the Debate.

Motion *negatived*.

MR. WHITE (East Hastings): I believe that the mover of this Bill deserves great credit for bringing it forward, his experience showing how much a member should consider such a step before taking it. It appears that there are many connected with loan societies in this House. It was certainly painful to hear the remark of the hon. member for East Toronto in regard to the mover of the Bill. I would like to ask why should a member of this House, because he introduces such a Bill, be told by the representatives of loan companies in Toronto that he had had to pay them and consequently felt sore? I think it is not fair, just, becoming or parliamentary, to use such language towards a member. The fact is the hon. member for East Toronto (Mr. Platt) is president of a company which only puts into the pockets of its stockholders 12 per cent. at the expense of the unfortunate borrowers of the country. The poor people must suffer that a man like him should be "monarch of all he surveys."

MR. PLATT: I am not president of any such company.

MR. WHITE: If not president the hon. gentleman is a director of one. I think it unfortunate that men that have to borrow—and such include the men who keep business going in the country, the farmers and mechanics—should have to pay any such interest. The moment a man borrows money from such companies they commence to watch him, but they

have no right to open their mouth to comment on his poverty and straightened circumstances. The hon. gentleman says they did not ask us to borrow; but men borrow through necessity and are often afterwards deceived. Does not the hon. member for West Durham say so also? Did not the House listen silently to his language in this sense? The hon. member for East Toronto, knows that there is a society in Toronto the most despotic of any in Upper Canada. It cannot be denied that it pays the manager \$7,000 per annum.

MR. PLATT: It is not true.

MR. WHITE: Does not the Canada Permanent and Building Society pay their manager \$7,000 per annum and pays 11 per cent. per annum to its shareholders?

MR. PLATT: That is not true.

MR. WHITE: How many of the banks in the country pay 11 per cent. and the manager \$6,000 or \$7,000 a year? I do not rise to say an unkind word of the hon. member for East Toronto, because I believe he is as kind hearted a gentleman as any gentleman sitting in this House; but I want to tell him that the trouble is that there are members in the House, too many, who are disposed to crush the fallen and the poor. The hon. member for West Durham, in his eloquent practical way, says the present system is an evil; and are the hon. gentlemen on the Treasury Benches to listen to that language and permit that evil to continue. There are only one or two Ministers here at present. When such an evil is brought prominently before the House and country, Ministers should be in their places to deal with it, and both the Opposition and the Ministerial party should combine to place the people of the country in a proper position in regard to this matter. Not only have borrowers to pay large commissions to the agents of those loans societies, many of whom are lawyers, but high rates of interest as well. I do not desire to specially condemn the lawyers, but they, now and again, deserve a little rub. Those agents get 1 or 2 per cent., the lawyers putting the loans through by endorsing or promising to pay the first two payments. They promise to put the loan through for 60 or 100, as the case may be, requiring, in addition, a chattel mortgage against

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the goods of the borrower. Not only do the companies get security on the land, but on the goods and chattels. One-half of the residents of the different counties have not only their lands but their chattels mortgaged to those companies. That surely is a matter that the hon. member for Gloucester (Mr. Anglin) should give ear to. •I believe he is against the landlords of Ireland ; but, so far as the loan companies of Canada are concerned, they occupy a similar position in Canada to that of these proprietors. If the hon. member for West Durham (Mr. Blake) would bring in a practical Bill to deal with this evil, I believe he would get the support of the members following the Government.

AN HON. MEMBER : Would the hon. gentleman support his Government ?

MR. WHITE : I would, in all good measures, and would not object to an honest Irishman at the head of the Government—I would like to follow such a leader. I believe the hon. gentleman would gain the support of the majority on both sides of the House if he would bring in such a Bill, and he certainly should have mine. It is high time that the Government of this country, with their majority of seventy or eighty, should see that they have a duty to perform to the people of this country, unfortunately under the power of these loan companies—companies which should be restricted to a moderate rate of interest. Why keep silent in the matter ? Those loan companies take away the best trade of the banks, which get only 6 or 7 per cent. for their money, as against the 9, 10 and 11 per cent. of these companies. I am glad the hon. member for Centre Wellington (Mr. Orton) has broken the ice in this matter. If he brings in a Bill in some other shape to remedy this evil, and the Government do not take hold of it, he will get a majority of all the independent men who have money to loan.

MR. PLATT : I wish to correct the hon. gentleman who has just spoken, by saying that our secretary does not get \$7,000 a year.

MR. WHITE (Hastings) : I said your manager got that.

MR. PLATT : That is not true, nor is it true that the company pays 11 per cent.

MR. ORTON : What does the manager get ?

MR. PLATT : \$5,000 a year.

MR. GAULT : I have been connected with a loan company for over twenty years, during which time we have lent a large amount of money, I think mutually satisfactory to borrower and lender. During those twenty years I do not think we have sold five properties. The company I am connected with pays its manager but \$1,200 per annum, and our loans are made solely on real estate in the city of Montreal. I am quite astonished to hear some of the remarks made about capital this evening, because there is no question that if this Bill becomes law, it will not only prevent the influx, but lead to the withdrawal of a large amount of capital invested in this country. At present many Scotch and English companies are lending money in Canada and their rates are so low that private individuals are glad to get 6 and 7 per cent. interest for loans on good property. The Bill now under discussion, if passed, will prove a great detriment to the country. I am sure that in Canada West the farmers themselves like to get good investments ; they take their deposits out of the banks, which only pay 4½ and 5 per cent., and place them with the loan companies, wherethey can get 6 per cent. or more ; and in London, Ontario, and in Toronto the farmers have invested large amounts in this way. I have a letter from the manager of a Scottish company, which is a very large investor of capital, stating that if this Bill becomes law it will close its office and withdraw its capital, an example that would be followed by other companies. I would recommend the hon. gentleman for Centre Wellington to withdraw his Bill, otherwise I shall be compelled to record my vote against it.

MR. BOURBEAU : I have much pleasure in seconding the Bill of the hon. member for Centre Wellington. If there is anything which is prejudicial to the interest of the settler, it is most certainly a law which allows a money-lender to lend, as is now done, at an exorbitant rate of interest. The settler, having borrowed at a ruinous rate of interest, ultimately loses heart, and finds that he has no alternative but to start off his children to the United States to repair his fortunes, shattered by usurious loans. If the children fail in

the task, the father, too, is compelled to expatriate himself. If we have now so great an emigration of Canadians to the United States, I am satisfied that the reason is in great measure to be found in the fact that a large number of them have fallen victims to the usurious lenders of money. Hon. gentlemen who are opposed to this measure fear that if the rate of interest is limited, as the Bill provides, it will be impossible, in future, to borrow money, as capitalists will refuse to enter into transactions at such low rates. I am of opinion that, making the loaning of money at lower rates compulsory, it would be doing a great service even to those who lend at such high rates; for in that way the borrower could, in any case, pay what he owes; whereas, if he promises to pay more than his means justify, he is invariably compelled to dispose of all that he possesses to his creditor, or to others, who thus become proprietors of it at a very low price. Often the creditor is obliged to buy his debtor's property and to re-sell it at a loss, while if the debtor had been able to borrow at a lower rate he would have been able to meet his engagements. Some hon. member has reproached the hon. member for Centre Wellington with entertaining a grudge against certain loan associations, in consequence of his having failed to meet his engagements with some such association. I think the reproach an unjust one; we should congratulate him on having brought in this Bill. If I had time I could quote many letters which I have received from the united counties of Drummond and Arthabaska, to show how popular the principle of this Bill is in that electoral district. Most of the electors there are in favour of the Bill, especially those who observe the emigration of Canadians to the United States to be increasing day by day; they know that the unfortunate settlers who are going away have been ground down by usurers. Money-lenders have all kinds of ways at their command to induce the acceptance of their pretended favours. One plan that they have for imposing on the settler, is to lend him at first a small sum of \$10 or \$20, charging 50c. to \$1 a month interest, which amounts to a rate of interest of 50 or 60 per cent. Often they go further; by these means a settler is induced to borrow at from 80 to 100 per

cent. The money-lenders, who are to be found in our country parts as well as in our cities, do society an exceeding ill-turn by gently victimising it. On one hand they ruin the borrower, on the other they yield no revenue to the public chest. So well aware are these lenders of the advantages which they reap from the loaning of their money, that they prefer adopting that course to investing it in real property or in manufactories. They contribute in no way to the encouragement of education, because, having for the most part no real property, they have no taxes to pay for the support of the schools. Nor do they contribute to the cost of maintaining the roads, because, having no real property, they cannot be taxed. Unfortunately, in this country, there is no law providing for the taxation of money-lenders, as there is in the case of those who engage in other callings. With these few remarks I shall conclude; I believe it to be my duty and in the interests of my constituents to support the measure introduced by my hon. friend from Centre Wellington, and I have to congratulate him on the largeness of the views manifested by this Bill, the object of which is to do away with the unfortunate abuses committed by those who engage in the traffic to which the measure relates, and which it is intended to regulate.

MR. ROSS (Dundas): This is a question that has been before Parliament many times since I have been a member. My voice is hoarse to-night, but I feel it my duty to support most heartily the principle of the measure introduced by my hon. friend for Centre Wellington (Mr. Orton). I do not agree in the rate of interest that he proposes to fix, because I believe that in the circumstances of our country that rate is too low. But there is great reason for fixing it at a certain maximum rate. It is lamentable that many hon. gentlemen in this House seem to argue that if the rate of money was fixed by law, the price of money would advance, and, on the other hand, they contend that free-trade in money brings the price down. Supposing the rate was 8 per cent., how is it possible that people would have to pay a higher rate than that fixed by law at 8 per cent., if money can be had at 7 to 7½ per cent. as asserted; I would like to have those hon. gentlemen, who are connected with loan associa-

tions, show me how the poor borrower, who toils day after day to procure bread for his family, is able to pay 10, 12, and 14 per cent. interest and live. A law that permits such things is an injury to the poor but industrious workingmen of this country. An hon. gentleman said here to-night that a man ought to be permitted to do as he pleases and as well as he can with his money. Do we do that in any other case? Do we allow any man to do just what he pleases, when he injures others by so doing? Is there any man in this country whose character is more detestable than that of the extortioner? He is a curse to the country. Because money is necessary to some extent, ought we to leave upon our Statute-book a law that allows the money-lender to do what he pleases with his neighbour and to grind him down? If a man gives a note for \$100, and it is afterwards discovered that the maker of the note has been deceived, and has been a victim of false pretences, no Judge or jury will condemn him to pay that note. But that is not the case with loan associations. There is no means of bringing them to account. No instance can be pointed out where the loan companies have been interfered with, and where the payment of the loan has been successfully resisted. The law is singularly in favour of these societies. However, I fear the hon. member for Centre Wellington will not succeed with his Bill, however ably he may advocate it. He may use all the eloquence of which he is possessed, but he will, I fear, find that he can make no headway in this House. But I say boldly that if this question were submitted to the people for their decision, and if they were asked whether the rate of interest should be fixed not exceeding 8 per cent., it would be carried by a two-thirds majority. British capital is now coming into this country, and we should therefore provide by a law, by which the people may be protected from the obligation of paying 10 to 14 per cent. for it. The hon. member for East Grey (Mr. Sproule) proved to-night that the stock of these loan associations was higher than any other stocks in this country. If a man has money, and is willing to loan it at a fair rate of interest to others, who want to use it, why should he not do so on

honest principles? Why should we allow a law to exist in this country which permits money-lenders so easily to make victims of their debtors? I would ask, is it right that a legislative body like this should be upholders of a system of this kind. Some means should be adopted to prevent money-loaners from misleading their clients, and to enable borrowers to know exactly the amount of interest they are paying, and thus protect the poor, overworked man, with his hands hardened and bones rheumatic from unceasing toil, paying over the counters of these companies 10, 12 and 14 per cent. earned by himself and family, often having to deny themselves of nearly every comfort to make up the accruing interest at those extortionate rates. Would hon. gentlemen like to be thus treated. Then do as we would others should do unto us.

Mr. ARKELL: I have no desire to make any charges against building or loan societies, but I can corroborate the statement that in the towns and villages of Ontario men are in the habit of paying 10, 12, 14 and 16 per cent. on money borrowed from some of these societies. I am cognisant of a great many instances in my own town where men have paid these high rates of interest. I think it is now time this state of things should be checked by the action of this House. I am in favour of the rate of interest being fixed at 8 per cent., and when the Bill goes into Committee I hope an opportunity will be afforded to amend some of the clauses to which I object. I hope the Bill will be supported by a majority of this House, as I am satisfied it will be favourably received by a very large majority of the people of this country.

Mr. SHAW: I am of opinion that the circumstances of the country should always be taken into consideration in regard to legislation of this kind, and I think the rate of interest may be advantageously regulated in the country at the present time. It may be that 7 per cent. may be too low, but I doubt it. I have heard it argued since this discussion commenced, that money can be readily obtained at from 7 to 7½ per cent. from societies lending money. If that is so I would like to know how this measure is going to prevent money from being introduced into the country. But in case

the fixing of the rate at 7 per cent. would tend to prevent money from flowing into the country, it might be well, perhaps, to fix the rate at 8 per cent. I am in favour of recognising the principle of the Bill by giving it a second reading, and any modifications it might be necessary to make could be effected in Committee. I believe there are several provisions in this Bill, in regard to which the House has no power to legislate and which should be struck out. Several clauses do more than merely regulate the rate of the interest. They affect private rights and deal with right ones, which it appears to me Provincial Legislatures can alone deal. There is one point to which I would like to direct the attention of the House, and it is this: many parties emigrating to this country who have not owned land before, are ignorant of the management of real estate. They are also ignorant of the profits to be derived from agricultural pursuits, and of the knowledge that there is less profit to be derived from the management of real estate, than perhaps from any other business. They are apt to think that the ownership of real estate is connected with extravagant living, and consequently they very soon get into debt. We find, however, that parties coming from France and Germany who have been accustomed to the management of small properties, are more economical in their habits than those coming from Great Britain or Ireland. We may expect in the future a large emigration from Great Britain and Ireland, which will probably go principally into our North-West, and those emigrants will go through exactly the same process as have the emigrants to Quebec and Ontario. Money will be introduced there from the Old Country, and it will be lent at very high rates until the people become acquainted with the country, and know that they will not be able to derive very large profits from agricultural pursuits. If money can be lent here at 7 per cent. and  $7\frac{1}{2}$  per cent., why should it not be lent at the same rate in any other part of the Dominion. I do not think the passage of this law would prevent the introduction of capital into the country. My recollection is that a law, limiting the rate of interest, has existed in the State of Michigan for many years, and I see

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it has been introduced into the State of New York. The Americans have had experience in this matter, and I do not think we ought to overlook that experience. I trust the Bill will be favourably received by the House.

MR. KILLAM: Before this question is settled, I think it would be well to understand what the policy of the Government is upon it. This measure has been under discussion some three hours, and has, perhaps, received more attention than any other subject except the Tariff. As yet we have heard nothing upon the subject from the Administration. We have heard hon. gentlemen complaining about the state of affairs in the country, and of farmers borrowing money at excessive rates of interest. I thought we were told a year ago, that under the National Policy all these things would be rectified, and prosperity would shine upon us. I think it is due to the hon. gentlemen who complained so much about the depression existing in their counties, and about the disadvantages under which farmers were labouring, that the Government should explain to the House what policy they intend to adopt in the matter. The hon. the Minister of Finance is not even in his place, and the Ministerial Benches are practically empty. Only three members of the Government out of eleven are present. I desire to say a word on behalf of the agriculturalists of Quebec and Ontario. Hon. gentlemen have stated that farmers are compelled to pay these exorbitant rates of interest for money they do not want, and that they are influenced to do so by agents who travel round; also, that their farms are taken from them, and that, consequently, they are compelled to emigrate to the North-West. I believe it is nonsense to say that the intelligent men of this country do not know what they are doing; and that they give themselves away in the manner described. We ought to let a question of this kind alone, and permit the people to borrow and lend at what rates or interest they like.

MR. HUNTINGTON: I have been struck by the observations of several gentlemen in the course of this discussion. I happen to represent an agricultural constituency, in which the farmers generally know whether they are paying 6 per cent. or 16 per cent. Some hon.

gentlemen have mentioned 6 per cent. as the proper rate of interest, and some say 8 per cent. They might as well try to fix by legislation the price of wheat per bushel or the price of meat per pound. I do not want, Sir, to refer to the National Policy, which has been professedly inaugurated to raise prices. I think its object has been to enable the honest Protectionist to raise his prices. If he has seen a shoemaker who has said: "These boots have been bought too cheap at \$2," the object of the National Policy has been to give that shoemaker \$3 for those boots, the shoemaker having represented that that was the proper price that should be obtained for them. I do not see why the money-lender should not feel the same way. I think the public generally think money an object of some interest, even if some hon. gentlemen who have spoken on this subject this evening do not. If a man wants money he considers what he wants it for, and he knows what to pay for it. It is as nonsensical to get up here and propose to say what a man shall get as interest for his loan, as it is to try to fix what the price of boots should be. I think that is sufficient on the face of it to show the absurdity of this discussion. When we deal with insolvency, we declare, supposing that there should be something of this kind in regard to the question of loaning money, that non-traders should not be allowed to pay 6 per cent. The consequence would be that traders would get the loans and non-traders would get nothing. Speaking for an agricultural constituency, I beg to state that my county will for one be counted on this question. They know well enough whether they pay 6 per cent. or not. There may be some improvident farmer, as there are some improvident traders, who do not take any trouble or care in these matters; but no agent can induce the farmer generally to borrow money at rates of interest which they cannot pay, any more than a dry goods man can induce a man to pay a higher rate for goods than he wishes to pay. I do not believe that we can fix what shall be the price of money. The great money market is not in this House; it is regulated by considerations in the great commercial centres of the world, and it is worth what it will bring. If the hon. gentlemen think they

can legislate so as to control the price and value of money they are mistaken; they can no more control it than they can the prices of cotton and wheat or any other article. I do not believe there is any difference in this connection between money and other things; they must be regulated by supply and demand. If there is any special legislation required to protect individuals against companies which are pursuing a system of business which is practically a fraud, if there is special legislation of this kind required it is not the Bill of my hon. friend, but some Bill with specific provisions to prevent fraud that will meet the evil. As to the general purposes of the Bill, as shown by the general drift of the discussion, I think it sufficient to say that money like grain, like iron, like any other commodity, must be regulated as to the price to be paid for it by the demand, by what people are willing to pay for it.

SIR CHARLES TUPPER: Hon. gentlemen opposite seem to be very much surprised that the Government should not oppose a question of this kind. It is quite competent for any hon. member taking a strong interest in any public question, to submit a Bill for the consideration of the House; and it is quite impossible for any person to listen to the discussion which has taken place on the second reading of the Bill, moved this evening, without coming to the conclusion that there is a very great diversity of opinion. I cannot agree with the opinion of the hon. member for Bothwell (Mr. Mills) that this Bill is unconstitutional; the question to which it relates is entirely within the purview of this Parliament. There are some provisions in this Bill which may be regarded as interfering with the province of civil rights, and are such, perhaps, as could only be dealt with by local legislation; still, the Bill in its main feature cannot be treated as unconstitutional, or not in the power of this House to entertain. I hope, however, that my hon. friend will be content with the expression of opinion elicited on the question from this House. I do not think at this period of the Session, even if the Government were prepared to deal with the question, that we could give a measure of such vital interest the consideration it merits, and I hope that, having had an opportunity of presenting his

views very clearly before the House, my hon. friend will feel justified in withdrawing the Bill. If not, I shall feel compelled to vote against the second reading.

MR. ORTON: I do not feel that I would be doing my duty to withdraw this Bill. It has been brought up for second reading and put off on several occasions. It is one in which deep interest is felt by the people of this country, and I think it is highly important to have it decided by an expression of opinion in this House. The hon. member for West Durham (Mr. Blake), whose opinion has very properly much weight in this House, referred to the difficulty which he said there would be in negotiating mortgages if the Bill passed. It is very true that it would be difficult to make mortgages in their present shape negotiable; but it is easy enough to alter the shape so as to make mortgages negotiable, by an affidavit from the mortgagee that there is no flaw by which the mortgage might be rendered invalid by this Act. I was very glad to hear the hon. member for West Durham acknowledge three of the principles of this Bill, and that he agrees that the evils comprised thereunder should be remedied as provided by this Bill, but I was astonished when, notwithstanding that admission, I heard him express his disapproval of this Bill and try to banish it from the House, and thus prevent justice being done to the people. I shall therefore be glad to see him record his vote, and ascertain whether he will support the former or latter part of his speech in this Bill. He admitted that a five years term of mortgage would be reasonable, but this Bill provides that after one year the borrower may be relieved on payment of three months' interest. However, I will not make any lengthened remarks; but ask for the second reading of the Bill.

MR. CAMERON (North Victoria): Before the question is put, I wish to say a few words to explain the reason for my vote. The Bill is the outcome of a very wide-spread feeling of dissatisfaction in Ontario for many years past. It has been the common custom for the agents of loan companies to represent to the farmers borrowing money that the interest was compounded at 8 per cent., and in some cases at a lower rate of

interest; but when the figures came to be worked out the real rates were found to be infinitely higher, on account of the compounding by monthly or quarterly payments, and by the fines imposed on the unfortunate borrower for arrears, and he had to ultimately pay such a large sum of money that he could not redeem the loan and his farm was sacrificed. A great many have thus been driven from fine farms. I do not say that loan societies are all to blame; and I admit that the great abundance of money has to a great extent diminished the evil. The competition has become so great that a man with any good security can get money on very favourable terms. That, probably, is a strong argument against restrictions being placed on the rate of interest to be charged; and I should on that ground feel it impossible to vote in favour of the Bill. But this Bill does not only deal with loans or security of land, but it deals with other loan matters, with exactions and interest charged on ordinary transactions in lent money, or ordinary contracts, where it can result in establishing any charge upon land; and it provides that no land shall be charged for any loan in which any higher rate of interest than 6 per cent. has been charged or secured. Loan companies are carried on now in a fair and reasonable spirit, and the rates are so much reduced that they can hardly be said to be unreasonable. I have a letter from one of my constituents, which I would like to read. It says:

"I am of opinion that the financial depression of this country is made ten-fold more aggravating by our accursed usury laws. Three of my tenants failed lately, also a neighbour for whom I had endorsed. The history of one is the history of the whole. They had been extravagant, and bought on credit in 1876-7. The bad crop of 1878 compelled them to borrow at high rates. Each loan had to be paid off by other loans at still higher rates. I found they had been paying 2 per cent. per month, 3 per cent. per month, and  $\frac{1}{4}$  per cent. per day, which is equal to 24 per cent., 36 per cent., and 91  $\frac{1}{4}$  per cent. per annum. The latter lacks only 8  $\frac{1}{2}$  per cent. of highway robbery. In the above cases, the usurers have taken all, and left me and a score of others without anything. In this manner the usurer robs his victim directly, and the general public indirectly. I am led to believe, from my own experience, and from enquiries that I have taken the pains to make, that in this indirect way nineteen-twentieths of the public are made not only to feel but to suffer from the financial depression. The present

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long-continued depression has created a whole army of usurers in this country. The desire to 'shave notes' amounts to a mania. Not only the brokers, but merchants, hotel-keepers, and even dry-goods clerks, have caught the mania. Four professional brokers in this town are said to have from \$5,000 to \$20,000 each loaned at these exorbitant rates. I am informed that the greater part of the bailiff and sheriff sales in this county can be traced for their origin to the usurers."

This is only one of many letters I have seen and read, giving expression to the general feeling of dissatisfaction which prevails in regard to the extortion of those usurers, who charge high rates for the money they loan. I think, however, that it is impossible to make men prudent by Act of Parliament. The evil complained of arises from the extravagance and want of business tact displayed by the persons who become victims of those transactions. At the same time there is no doubt that the mortgaging of farms to an extent which borrowers are quite unable to meet has been expensive, and the result has been to drive hundreds of Ontario farmers to the North-West. If I thought the passing of this Bill would remove the cause of the evil complained of, I would be disposed to support it, but I do not think that legislation of this kind will cure the evil. On the contrary, I think that the passing of such a measure would be introducing a wrong and dangerous principle, and would have the effect of making money dearer rather than cheaper.

MR. CHARLTON: I wish to say a word in regard to the vote I am about to give. I quite sympathise with the motives of the hon. mover of this Bill. I sympathise with any desire that is expressed or entertained for obtaining cheaper money, and if I thought the principles of the Bill would obtain that result I would heartily support them. But, in my opinion, all usury laws are calculated to work to the detriment of the borrower. It is impossible to enact a usury law which would affect the rate of interest, except in the way of creating dangers in loaning money. The practical results of all usury laws is invariably that higher rates are paid than when no law exists, and for that reason I am opposed to a law of this kind. Its effect would be to drive large sums of money from the country, and raise the rate of

interest. There is no difficulty in getting money now at 7 per cent.

MR. WHITE (East Hastings): Where can you borrow it?

MR. CHARLTON: If the hon. gentleman will furnish me good security, I will put him on the track of borrowing money at that rate. If anything could be done in the way of remedying the evil of companies charging higher rates than agreed upon, I would heartily concur in it. But I do not think this Bill provides the proper remedy. Its tendency is rather to aggravate than remedy the evils.

MR. FARROW: I understand we are going to have a vote on this question, and I rise simply to explain the vote I intend to give. I am in favour of the principles of the Bill, but I shall have to vote against it, because I do not think it is going to benefit the farmers. I think the remarks of the hon. member for West Durham were very conclusive, but he might have told us that there are two evils connected with the borrowing of money at present. There are a great many lawyers in this House, but I will state without any bashfulness that one of the greatest evils is the fee charged by members of the Bar in connection with loans. Why should a lawyer charge from \$15 to \$50 in such cases? I have been connected with those societies for years and I have borrowed money and induced others to borrow from them, and the evil I find is, that when a poor man gets behind they impose the fines referred to. I think the sooner we legislate in the direction proposed by the hon. member for West Durham the better. The hon. member for Centre Wellington says that everybody does not possess money, but I would suggest that everybody does not possess a medical education, and I want to know whether anyone charges more exorbitant rates for their services than doctors. I think the hon. gentleman has not gone far enough—he should have brought in a Bill to regulate doctors' fees.

MR. ORTON: They are regulated by Act of Parliament.

MR. FARROW: They are regulated by the doctors. I contend that many of those companies have done a great deal of good. I know a number that offer to lend money for 7½ and 8 per cent.



Money is like every other commodity—it is cheap or dear according to the supply and demand. I do not think the Bill is practicable or I would vote for it.

MR. SMITH (Selkirk): I would like to make a suggestion for getting rid of the evil spoken of. Hon. gentlemen would do good by endeavouring to get up in their own constituencies good honest loan societies, for the purpose of lending money at 7 per cent., or as much below as is possible. Nobody would pay 12 per cent. if such societies were in existence.

MR. BANNERMAN: There is one clause in this Bill which does not cover exactly what I would like to see remedied, namely, that the fines of 1 per cent. should not be imposed. It is a shame that such fines are imposed, but I think Parliament has a right to do away with such a law. Suppose a man has paid 10 per cent. per annum for a loan on his farm, and owing to some cause or another he is unable to pay the instalments, is it right that this fine should be imposed? I think not, and I think it is the duty of Parliament to enact some legislation on the subject.

MR. WHITE (Cardwell): At this late hour I desire to say only a word or two, to explain the vote I am about to give. I concur with a great deal of what has been said on the other side in relation to the difficulty of fixing the price of money. But no one could have listened to the speech of the hon. member for West Durham (Mr. Blake), who addressed himself to this question seriously, without coming to the conclusion that there are very serious evils to be removed in connection with the loaning of money. We have the experience of our friends on the other side of the line to guide us. They are a shrewd people and understand their own interests perhaps as well as the people on this side of the boundary; and yet it is rather a remarkable fact that in every State of the Union the price of money is fixed by the Legislature. It is fixed in forty-seven States and Territories. Out of the forty-seven there are only thirteen wherein, although there is a minimum rate, the general rate may be fixed by contract. The maximum rate varies in a great many States. For instance, in eleven they cannot go, even by contract, higher than 6 per cent. In six States

they can go as high as 8 per cent.; in nine as high as 10 per cent; in seven as high as 12, and in one, Idaho, as high as 24 by contract. But in all, except thirteen States, they have deemed it expedient, where the conditions of business are very similar to ours, to fix even the maximum rate of interest by law. Now, I think that in view of that experience and of the statements made by the hon. member for West Durham on this subject—an hon. gentleman who has had large experience in this matter—we might very seriously consider this measure. I do not agree with all its details, but I think it is worth the serious consideration of Parliament, and for one I am prepared, as believing some remedy for the present evils to be necessary, to affirm my opinion in a practical way by voting for the second reading of this Bill, on the understanding that it shall go to the Committee on Banking and Commerce, to be there considered.

Motion made and question proposed.

That the said Bill be now read the second time.  
House divided: Yeas, 67; Nays, 60.

YEAS:

Messieurs

Arkell	Ives
Bannerman	Jones
Beauchesne	Kaulbach
Béchar	Kranz
Benoit	Landry
Bergeron	LaRue
Bolduc	Macmillan
Bourassa	Massue
Bourbeau	Merner
Brown	Méthot
Casgrain	Montplaisir
Chandler	Olivier
Cimon	Orton
Costigan	Patterson (Essex)
Coughlin	Perrault
Coupal	Pinsonneault
Cuthbert	Poupore
Desaulniers	Rinfret
Dugas	Ross (Dundas)
Dumont	Roulean
Elliott	Routhier
Ferguson	Rykert
Fiset	Shaw
Fitsimmons	Sproule
Fortin	Stephenson
Geoffrion	Strange
Girouard (Jac. Cartier)	Tellier
Girouard (Kent, N.B.)	Trow
Grandbois	Vanasse
Hackett	Wallace (S. Norfolk)
Hay	Wallace (West York)
Hesson	White (Cardwell)
Hooper	White (E Hastings)—67
Houde	

MR. FARROW.

## NAYS :

## Messieurs

Allison	Longley
Anglin	McDonald (C. Breton)
Bain	McDonald (Picton)
Bill	Mackenzie
Blake	McCuaig
Boulton	McInnes
Brooks	McIsaac
Bunster	McLennan
Burpee (Sunbury)	Malouin
Cameron (South Huron)	Mills
Cameron (N. Victoria)	Muttart
Cartwright	Ogden
Casey	Oliver
Charlton	Paterson (South Brant)
Cockburn (Muskoka)	Platt
Dawson	Pope (Compton)
Farrow	Pope (Queen's, P.E.I.)
Fleming	Richey
Gault	Robertson (Shelburne)
Gillies	Ross (West Middlesex)
Gunn	Ryan (Marquette)
Guthrie	Ryan (Montreal Centre)
HaIdow	Rymal
Huntington	Skinner
Hurteau	Smith (Selkirk)
Killam	Thompson (Cariboo)
Kilvert	Tilley
King	Tupper
Lane	Vallée
Langevin	Wiser.—60

Motion resolved in the affirmative.

Bill read the second time, and referred to the Select Standing Committee on Banking and Commerce on the same division.

MR. MACKENZIE : I would ask the hon. gentleman opposite what he proposes to do to-morrow? I understand that it is proposed to go on with the Tariff debate. Is that the intention?

SIR SAMUEL L. TILLEY : It is proposed to take up the resolutions with reference to the Fishery Award.

MR. MACKENZIE : I do not object to the Government giving up any day they like for the discussion of this question; but Government business is so far behind that I suppose they would like to get it advanced. It seems as if the Government were anxious to avoid discussing any of their measures.

SIR SAMUEL L. TILLEY : In view of the importance of this question, the Government are prepared to give it precedence on the next sitting of the House.

## MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Order of the House—Statement showing the names, age and origin of all the officers, non-commissioned officers and privates of the North-West Mounted Police, and also their rank, pay and allowances, and the date of their appointment and enrolment.—(Mr. Coursol.)

Order of the House—Copy of the Correspondence on the subject of the County Court Junior Judgship, for the united counties of Stormont, Dundas and Glengarry, and all applications for the said Judgship, and replies thereto.—(Mr. Macdonell, North Lanark.)

Order of the House—Return showing the names, date of appointment of all persons by the Dominion Government as commissioners, secretaries, or otherwise, in connection with the Canadian exhibit at the Paris Exposition, held in the year 1878, together with a detailed statement of all moneys paid for salary of each; also, a statement in detail, of moneys paid for expenses of living, travelling, printing, advertising, or otherwise; to whom paid, and the time of service of each.—(Mr. Stephenson.)

House adjourned at

Fifteen minutes before

One o'clock.

## HOUSE OF COMMONS.

Thursday, 1st April, 1880.

The Speaker took the Chair at Three o'clock.

## PRAYERS.

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 honourable 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 to repeal the Acts respecting Insolvency now in force in Canada.

And the House being returned,

## BILLS INTRODUCED.

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

Bill (No. 86) To repeal Cap. 40 of 42 Vic., entitled an Act to amend the Maritime Jurisdiction Act, 1877.—(Mr. Patterson, Essex.)

Bill (No. 87) To amend Cap. 32 of the Act of 33 Vic., 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.—(Mr. Richey.)

Bill (No. 88) For the appointment of a Resident Representative Agent for Canada in the United Kingdom.—(Sir John A. Macdonald.)

FISHERY AWARD—CLAIMS OF THE  
MARITIME PROVINCES.

## ADJOURNED DEBATE POSTPONED.

Order for resuming the adjourned debate, on the motion of Mr. MacDonnell (Inverness), in relation to the division of the Fishery Award, *read*.

MR. RICHEY: In resuming the adjourned debate on the motion of the hon. member for Inverness, I may be permitted to express my regret that there should have been imported into this discussion any virulent party spirit, and that the motion which I felt it incumbent on me to make, for the adjournment of the debate—

MR. MACKENZIE: I rise to a question of Order. This is a Government day, and it is impossible to take up a measure in advance in this way that belongs to another day. No one has moved to pass over these Orders, and it cannot be done. The Orders must be taken consecutively.

SIR JOHN A. MACDONALD: I understood it was arranged that we should proceed in the way attempted; but, if the hon. gentleman opposite presses the point of objection, we must yield.

MR. MACKENZIE: There was no arrangement further than this, that the hon. member for Halifax said he would take the course now attempted; but, if the Government do choose, in the present state of their own business, to give up a day, it should be done in the proper way. If they have no business for their own day, they must move that the House pass to a certain Order. Members cannot be allowed to take up an Order whenever they choose.

## MILITIA ACTS AMENDMENT BILL.

[BILL 70.]

(Mr. Masson.)

## SECOND READING.

Order for second reading *read*.

MR. MASSON: The first clause of the Bill relates to the enrolment to take place in 1881. The Bill proposes to defer it until February, 1882. The second clause takes power to call out the Militia under other than the present circumstances. Today, the force can only be called out in case of emergency or war, and difficulties have occurred when it has been necessary to call out the Militia for other purposes, such as furnishing a guard of honour to

His Excellency the Governor-General, etc. It has been thought that the Militia Act does not empower the Government to call out the force in such circumstances. This clause is to clear up that point. The third clause provides a penalty for personation in certain cases. As the law exists at present, a militiaman is punishable for personation; but the penalty only applies to a volunteer or a non-commissioned officer. The object of this clause is to make it general, to extend the penalty to anybody else who personates a militiaman. The last clause of the Bill provides for the establishment of canteens, which are to be only open to volunteers, whether they are called out for active service or for drill. There is a proviso, which states that, in those municipalities where the sale of liquor is prohibited, the present Bill will not override the local laws in that respect. These are all the provisions of the Bill.

MR. MACKENZIE: With respect to the clause for calling out the Militia, do I understand the hon. gentleman to say that additional power is to be given in regard to troubles in municipalities.

MR. MASSON: No, it is only on holiday occasions. It has been found that, in cases where the force was called out merely to guard an armory as a precautionary measure, the men had no authority to arrest an individual who was trespassing on the premises. A case occurred in London, Ontario, where the guard of an armory proceeded to arrest a man who was loitering on the ground, and the man resisted and showed the volunteer's rifle away. The man sued the soldier, and had him punished, because he tried to arrest without legal authority.

MR. MACKENZIE: I hope the hon. gentleman's Bill will not confer powers upon the Militia to make arrests or act as peace officers when called out under similar circumstances. That is what was done in the London case. The volunteer had no standing as a peace officer. Now, it frequently happens that commandants of regiments call out their men for drill, and appoint a guard, say at the brigade office, or some other place. I hope that under this Bill the Militia, on such occasions, will not receive authority to make arrests. If the present Bill proposes to give such powers to the ordinary

MR. RICHEY.

Militia, called out for any other purposes than those provided in the Militia Act, and under the direct authority of the Government, it will be a mistake.

MR. MASSON : As the law stands today, the Government or the Military Commandant of the district have the right to call out the Militia only in case of war or threatened war, or invasion, or some similar emergency, except when called out in aid of the civil power. The present Bill proposes to extend that right, so that the Active Militia may be called out for the purpose of guarding an armory or other place where arms or militia stores are kept.

MR. MILLS : It appears by the 3rd clause of this Bill that it is the intention to make the Militia a constabulary force, for the purpose of preserving the peace. I called the attention of the House last year to this principle in the measure introduced then by the Government. I think we have recognised the rule that the administration of justice and the preservation of the peace in the various Provinces belong to the Local Legislatures and Governments. If that be the case, there is no doubt the Local Legislatures should organise a constabulary force for the purpose of preserving the public peace. They could officer that force and state how it should be managed. They could make the militia officers constabulary officers. It is equally true that, if the militia force of the country is to be called out to serve the purpose of a constabulary, they are to discharge a duty belonging to the Local Administration. We are here required to give Local Legislatures the power to call out these men, with their arms, if we propose to permit the arms to be used by a constabulary. But, when we go beyond that, and give the parties the right to take their arms and ammunition, and act as a constabulary force when we, in fact, create the constabulary force, I think we go beyond the powers that are vested in us. There is always more or less confusion arising from the calling out of the Militia to act as a constabulary force in aid of the civil power, with the duties of a purely military body. Now, it is a well recognised principle in our system of Government that, when a man is enlisted into the army, he does not cease to be a citizen, and, if he sees a crime being com-

mitted, it is his duty to arrest the criminal precisely as if he had not been so enlisted. This principle was well recognised during the Lord George Gordon riots in London. There was a full discussion of that principle in the House of Lords, and subsequently, when the Mayor was tried for a failure to discharge his duties. Those who remember that incident in English history know how far these riots proceeded, how churches were burned, property destroyed, and the lives of citizens endangered ; how the riot continued for some days, until it had assumed the serious proportions of an insurrection before any action was taken by the Government to suppress the riot. The Mayor was held to be responsible for the failure to keep the peace, and he was fined accordingly. It was stated that the military force that was in the city was at his disposal, if the constabulary force was insufficient, and that he had the right to call them out and control them. But, whether they could be ordered out under their officers, whether they were required to obey their officers, and to act as a military body in the discharge of their civic duties, was a question upon which there was, apart from legislation, a difference of opinion. Hon. gentlemen who have read "Clode's book, on the Administration of the Army," will remember that he quotes many cases in which the leading Judges on the English and Irish Bench have expressed different opinions as to the actual condition of the law in this particular. But while no such questions as I have mentioned can arise as to where the jurisdiction is vested, it is clear from the principles there recognised in the administration, that the moment a body is called out for the purpose of preserving the peace, as in suppressing ordinary riots, it is called out under the authority and under the obligations resting upon the Provincial Governments of this country. That being the case, I think we ought to take care in our legislation here that we do not confound the volunteer force of the country, when serving in that civil capacity, with the volunteer force as a military body, unless we are prepared to assume, I may say usurp, the maintenance of the peace of the country and the duties that now constitutionally de-

volve upon the Local Legislatures. I think we ought not to go so far as the hon. gentleman proposes in the 3rd section of the Bill. For the purpose of further illustrating the idea I wish to convey to the House, I would say that, if at the moment there was a riot or disturbance existing in a city in the Province of Quebec, it is extremely doubtful whether the Government here would have the right to send a military force from the Province of Ontario for the purpose of preserving order in the Province of Quebec. The duty devolves upon the Local Government, and it must depend upon its own citizens. It is quite true we can send the volunteer force of the country to any place we please. It is equally true that, when the volunteer forces of one Province are called from that Province, and are stationed within the limits of another Province, they are for the time being citizens of that Province, in which for the time being they are stationed, and have obligations and duties of citizenship resting upon them, and are amenable to the laws binding upon every citizen for the preservation of the peace. They are precisely in the same position as aliens are in any part of the country. In the event of a riot or disturbance breaking out, it would be the duty of such alien to obey the orders of any party who had a right to command him to assist in the arrest of a criminal or the preservation of the peace. An alien is for that purpose a citizen of the country in which he is, and is subject to its laws. That is precisely the rule here. If a military body is sent from one Province to another, and, while it is in that Province, a disturbance takes place, it may be called out for the preservation or restoration of the peace; but it would not do to call them out simply as a military body, without authority from this Parliament, for they could not then use their arms, and the Local Governments would have in that case to furnish them. It is in the power of the Local Legislature to say that the officers of the Militia Force shall, for the purpose of suppressing riots and preserving the peace, be constituted and held to have the same rank as in a constabulary force. I think that, in this Bill, the Government have confounded the duties which devolve upon a constabulary force with the duties which

devolve upon a Militia force, and they are proposing to interfere with civil rights and encroach upon the liberties of the subject.

SIR JOHN A. MACDONALD: I hardly thought the point raised by the hon. member for Bothwell came up in the harmless Bill before the House, but, if it does, there will be abundant opportunities of dealing with the matter in Committee. The question of whether the Militia on duty should act as special constables or not is an important one, but that, too, can be considered in Committee of the Whole.

MR. BLAKE: I think the question has been very rightly raised by my hon. friend at this stage, because, as I have had occasion more than once to mention, it is extremely important that the House should have an opportunity at more than one stage of considering what are the objections to Bills. The hon. gentleman opposite will have an opportunity now of considering this point, which, perhaps, would not have attracted his attention if my hon. friend had not mentioned it. It is questionable, apart from the point of jurisdiction, whether this clause should pass in this shape. I confess I do not precisely understand its full effect. It seems to me to be framed in a manner which is not consistent with the principles which I understand regulate these relations of civil and military jurisdiction. Provision is made, not on occasions of riot or disturbance, but on peaceful ceremonial occasions, upon which there is no likelihood of any riot or disturbance, that a portion of the Militia shall be called out. They are to act as special constables, which would make them civil officers, amenable to any order of those persons who ordinarily control special constables. We find here, however, that while they are named as special constables in one breath, the clause orders them to obey the commands of their officers, and proceeds to state that they

“Shall be considered to act as such so long as they remain so called out, but they shall act only as a military body, and shall be individually liable to obey the orders issued by their immediate military commanding officer only.”

The civil power is in no way concerned in the calling out of the force. The case

to which hon. gentlemen have alluded, arose, as I remember it, upon one of those peaceful occasions to which we have referred. It was at a drawing-room held during the visit of His Excellency and Her Royal Highness to the city of London. On that occasion a number of persons were naturally anxious to pay their respects to those distinguished personages and, I believe, a bayonet was pointed at some rather intrusive gentleman.

MR. MASSON: No, he placed the rifle crosswise.

MR. BLAKE: I do not know how he used the rifle, but I object altogether to any law which shall prevent the citizens of this country from appealing to the Courts of this country, which shall preclude that appeal by the statement that the offender, under such circumstances, obeyed the order of some captain, major, or colonel of the Militia. I say we should not create any such defence to any such action.

MR. MASSON: The Militia may be called out any day by the civil authority not merely to prevent an actual riot, but in apprehension of a riot, that is, when the riot is threatened; and, if this power is given in apprehension of a riot, surely there should be power in actual danger to an armoury or any place over which the military mount guard; and it is only reasonable in that case that there should be this clause, that:

“Every officer, non-commissioned officer and man of such active militia or portion thereof shall, on every such occasion, obey the orders of his immediate commanding officer, and the officers, non-commissioned officers, and men, when so called out, shall, without any further or other appointment, and without taking any oath of office, be special constables, and shall be considered to act as such so long as they remain so called out; but they shall act only as a military body and shall be individually liable to obey the orders issued by their immediate commanding officer only.”

MR. MACKENZIE: But who calls them out? Before, they were to be called out by a civil magistrate.

MR. MILLS: That is exactly the point.

MR. MASSON: That is not the point.

MR. MACKENZIE: The hon. gentleman opposite is mistaken. These clauses make an entire difference. As soon as a magistrate has called the Active Militia,

that moment they become peace officers; but you are now making them peace officers without being called out by a magistrate.

SIR JOHN A. MACDONALD: I do not see the difference, I must say. The hon. member for Bothwell (Mr. Mills), and the hon. member for West Durham (Mr. Blake), say it is a fusion of military and civil authority, and that we have no right to do this. Now, it makes no difference whether the troops are called out by the magistrate or by any other authority. They are a military body, and, if we have no power to combine the military and civil authority in a military body, we have no power to appoint them peace officers under the authority of a magistrate. Either we have the power or we have not; the power of appointment of peace officers either rests with the Dominion Legislature or it rests with the Local Legislatures. The Militia Act of 1868 provides that, no matter how called out, if called out for legitimate purposes by a magistrate, they are called out for a military purpose, and, being so called out, both Acts—the Act of 1868 and the proposed Act—say that they shall have power as peace officers. And the hon. gentleman says, in both cases, that is beyond our jurisdiction; that that belongs to the Local Legislature. The Militia Act provides that, although called out to act as peace officers, they shall not be liable to the magistrate, but only to their own officers, commanding them as military officers. The fusion between military and peace officers is just the same in both cases; the fact that they are called out in aid of the civil power makes no difference; in either case they are called out in aid of the law by the law; and, if we have the right to call them out to guard the Royal residence, or to guard the armoury, we have the same right as when called out by a magistrate as peace officers, to declare that they shall act as peace officers under the directions of their military officers alone.

MR. BLAKE: As I understand the existing law, it provides that, when the Militia are called out in aid of the civil power, they are to act as a military body in aid of the civil authority. But we must remember that they can be called out only by the civil magistrates. If the magistrates think it necessary, they can

invoke the aid of the Militia in case of a breach of the peace. Then the civil power is the dominant, or moving power, and takes the initiative. There is no intervention of the civil power, however, in the action of these guards of honour. They are neither called out by the magistrate, nor are they in anywise under their authority after being called out. In the character of the occasion, and also in the absence of an initiative by the civil power, there are distinctions between this and the old law, which require our consideration.

MR. COURSOL: Having for several years had some experience in military matters, in connection with the Volunteer Force, I may be allowed to say a few words on this subject. I believe that the promoter of the Bill does not intend it to enable the military to shoot down citizens with impunity. I only regret that it does not cover all the occasions on which the volunteers are liable to be called out, and on which they are often unable to protect themselves from annoyance and even insults. As it is, however, the Bill aims at preventing any collision between citizens and volunteers. It is well known that the volunteers may be called out on other occasions besides that of assisting the civil authority. In many cases, they have nothing to do with the magistrate; I mean in the case of a review or sham-fight, and so on; on which occasions large numbers of citizens will gather together, and collisions have sometimes, unintentionally perhaps, on either side, taken place; but the volunteers, being under arms, could not leave their regiment or brigade. And, as it often happens that sufficient policemen cannot be stationed at different points on the ground, to be of any real use, the soldiers themselves, being constituted peace officers under this law, could render this service effectually.

MR. MACKENZIE: If the speech we have listened to from the hon. member for Montreal East (Mr. Coursol) embodies the views of the Government, then upon any occasion it will be competent for the Governor-General, by special order in that behalf, to clothe the military with these extraordinary powers. This is handing the whole thing over to the Governor-in-Council, and he may order them out whenever he, in his discretion, sees fit, and make every soldier a peace officer.

MR. BLAKE.

The authority given by the last clause of the first sub-section is one of a most extensive character, and one which no Legislature should submit to.

MR. MASSON: According to the hon. gentleman's argument you would have to put an officer at every point of the field in the case of a review or sham fight.

MR. MILLS: Leaving out of consideration for a moment the question of jurisdiction, you will see that as the law stands in England, while the force acts under the command of a military officer, still the officer and the men under him act under the guidance and control of the civil authorities. The commander has no power to come out of himself; he comes out at the instance of a magistrate, and the application must be made in writing and signed by the party in presence of a witness. I remember a case—it is some time since I looked at it—to this effect, that parties were examined in reference to the decision, I think, of Judge Willes, who held that, if an officer, and the men acting under him, took the life of a party, they subjected themselves to the civil law of the country; and General Napier observed that officers and soldiers were placed in a very awkward position, being liable to punishment by court-martial if they disobeyed orders given by superior officers, and, on the other hand, liable, under the civil law, to be hanged if they did obey those orders. This Bill proposes to confer upon the Governor-in-Council the power that under the English law is only given to a magistrate.

Bill read the second time.

\* House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

MR. BLAKE: I would like to understand, supposing any unwarrantable act is done by a soldier under the command of his officer, whether there would be any liability on the part of the soldier for that act.

SIR JOHN A. MACDONALD: By all means, he would be liable if the act were illegal.

MR. BLAKE: And would there be any liability on the part of the officer who gave the order?

SIR JOHN A. MACDONALD: That is the intention.

MR. BLAKE : If that is the intention, it is not expressed.

SIR JOHN A. MACDONALD : I think it is, very clearly.

MR. MILLS : Does the Premier hold that, if the Act provides that every man or officer shall, on every occasion obey his superior officer, that does not protect the person who obeys the order so given, seeing that the law says he must obey such order ?

SIR JOHN A. MACDONALD : The order must be a legal order.

MR. MILLS : Then the word "legal" should be inserted.

SIR JOHN A. MACDONALD : The Mutiny Act provides that soldiers shall obey the command of their officers, but both officers and soldiers are held below the law, and are liable for any breach of the law ; they are responsible, the officers for giving any illegal orders and the soldiers for obeying them ; just in the same way as a constable acting under a civil magistrate. The constable must obey, you may say, the orders of the magistrate, but the constable and the magistrate will both be liable if the order given and executed is illegal. This being a *quasi* military body, they are to look for their commands to their own officers alone, just as a body of police must look to the magistrate for orders.

SIR ALBERT J. SMITH : If the law makes it imperative upon the soldier to obey the officer under whose command he is, he cannot exercise any judgment ; he is a machine ; and surely, being compelled by law to execute the command of his officer, he cannot be held responsible for the consequences resulting from his enforced obedience to the order given.

SIR JOHN A. MACDONALD : For the maintenance of discipline in the Militia, the law, as contained in the Militia Act, provides that a soldier shall obey the commands of his officer ; but I have no doubt in saying that the command must be a legal command. The only object of the clause is to define, to point out, to whom the soldiers and officers shall look for orders when called out, under the provisions of this Bill.

MR. BLAKE said, if that was the only object, it was clear that the third provision of the Act was unnecessary.

SIR JOHN A. MACDONALD said

it was well there should be uniformity in legislation of this character.

MR. BLAKE : But not a vicious uniformity.

SIR JOHN A. MACDONALD : I do not see the vice in this instance. The law simply says that, if they are called out, say to protect the Governor-General or the Legislature, they shall be under the command of their officers and not extraneous persons.

MR. McDONALD (Pictou) said the Act would put the Force on the same footing as Her Majesty's Army. In one case, in Halifax, where a soldier was taken to the guard-house, he was gagged by direction of the sergeant. The man died during the night, and both the sergeant and the soldier who carried out his instructions were tried and convicted of manslaughter.

MR. MILLS said he would call attention to the actual state of the law in England, which was given by Mr. Clode, as follows :—

"Such are the grounds upon which the officer would be justified in giving the order ; and the justification of the soldier in obeying it would be, first, under the rule of the common law, that an inferior, in an ordinary criminal case, must be held justified in obeying the directions—not obviously improper or contrary to law—of a superior officer, that is, if the inferior acted honestly upon what he might not unreasonably deem to be the effect of the orders of his superior ; and, secondly, under the Mutiny Act and Articles of War.

"Unfortunately, Chief Justice Bushe is said to have thrown some doubt upon the question whether a soldier is so bound to obey his officer, as to be free from criminal responsibility for the act of obedience. At the trial arising out of a riot at Newtonbarry, Wexford, in July, 1831, in reply to enquiry by the jury, whether, 'If a military body be called out, and if the commander gave the order to fire, are those acting under his orders exempt from the consequences?' he is reported to have said, 'My opinion is that no subject of the King is bound to obey an illegal order, and if an officer gives an illegal order, those who obey him are not exempt.' A ruling which, however, assumes the whole question.

"'If this be true,' said Sir Charles Napier, 'such a principle dissolves the army at once ; it reduces the soldier to a choice between the hanging—awarded to him by the local law—for obeying his officer, and the shooting—awarded by the military law—for disobeying his officer. In such law there is neither sense nor justice, and (being one of those unlucky red-coated gents thus agreeably placed between shooting and hanging) I beg to enter my protest against this choice of deaths. If such is law, the army must be-



come a deliberative body, and ought to be composed of attorneys, and the Lord Chancellor should be Commander-in-Chief.'

"It is presumed that such is not the law, but so long as the military are acting in the *bona fide* discharge of their duty, obedience to a military command is a justification. 'How far,' said Mr. Justice Willes, 'the orders of a superior officer are a justification to his inferior who acts on them, I do not undertake to decide. Of course, in actual war with reference to foreigners, there is an absolute justification. With regard to Englishmen in England, questions have been raised. I believe the better opinion to be that an officer or soldier acting upon the orders of his superior not being plainly illegal, is justified; but, if they be plainly illegal, he is not justified as to Her Majesty's subjects, though he is as to foreigners; for as to them, it would be an act of war if Her Majesty chooses to ratify it.' The Legislative Council of India, in framing their Criminal Code, in 1860, put forward this case of absolute obedience and consequent immunity as an illustration. 'A,' a soldier, fires on the mob by the order of his superior officer in conformity with the commands of the law. 'A' has committed no offence.

"Probably the indictment preferred at the Summer Assizes for 1864, at Exeter, against Major-General Hutchinson (in command of the Western District, for the death of a man resulting from the artillery practice at Plymouth, negligence being imputed to the accused), is the most recent instance of criminal proceedings being taken against a military officer. 'Maaslaughter,' Justice Byles charged the jury, 'is where one man is killed by the culpable negligence of another. If in using the place for firing, although it might be too low (for safety), he was simply obeying the military orders of his superior, in my opinion he would not be guilty of maaslaughter'—transferring, I presume, the criminal responsibility to such superior giving the order.

"It is clear that there is no exact definition of what are the relative duties of the civil and military authorities when acting together in the suppression of riot. Of this the late General Sir Charles Napier made serious complaint. His contention was that, in riots, the whole responsibility of calling out the military should rest with the civil magistrate; but that, when the military were called out they should have a separate and distinct action and responsibility; that the civil magistrate should act with his constabulary under his own code till he can act no longer; and that then the military officer should act with his force and under his code."

Hon. gentlemen would see from this quotation that the law was not settled on this point.

MR. KIRKPATRICK said hon. gentlemen evidently believed that the object of this little Bill was to overturn the Constitution, and bring about a military despotism in the country. The Government did not propose to bring any

such force into the country as suggested by the hon. member for West Durham. The technical objection had been raised that, unless the civil authorities set the law in motion, we had not the power to authorise the calling out of the Militia. Hon. gentlemen opposite said we could not make the Force act as special constables, but the Bill only proposed to change the machinery by which this could be done, from that adopted by the Militia Act of 1868. It made no difference who set the law in motion, the same authority in both cases, an Act of this Parliament, existed for calling out the Militia; but he thought the power of setting the law in motion might be just as safely vested in a responsible Minister of the Crown as in a magistrate. The hon. gentleman (Mr. Blake) seemed to think that the Militia was a foreign mercenary force, ready to shoot down the people without mercy. He should remember that the members of the Force belong to the people, and would not use their powers improperly. Both officers and men were just as intelligent and felt their responsibility just as much as the magistrates whom the hon. member would like to have control of the forces. Allusion was made to a case in London where the force was called out to do honour to the representative of the Queen, but it should be understood that on such occasions as this the men were acting as much as guardians of the peace as military guards. The hon. member for West Durham referred to shooting down people upon the streets.

MR. BLAKE: I did not say shooting them.

MR. KIRKPATRICK: The hon. gentleman asked if the hon. Minister meant to shoot down the people.

MR. BLAKE: The hon. Minister said the man would have a rifle in his hand, with power to use it, and I asked whether he meant the man should have power to shoot down people.

MR. KIRKPATRICK: The hon. gentleman meant that we were giving the man power to shoot down people. Hon. members opposite should remember that on a certain occasion the Militia were called upon in large numbers to fill the streets of one of our most populous cities, and ammunition served out with the in-

tention of preventing any breach of the peace.

MR. MACKENZIE: Who did it?

MR. KIRKPATRICK: It took place when the last Government were in power. We know that the orders came from the hon. gentleman's Government giving the magistrate the power to so use the force.

MR. MACKENZIE: No.

MR. MASSON: The hon. gentleman does not mean to say that he was not consulted in regard to that matter.

MR. MACKENZIE: I do.

MR. MASSON: Then I am very much mistaken.

MR. MACKENZIE: The hon. gentleman cannot say that I was consulted. I informed the Mayor that, if the force was called out, we would make arrangements to send our own batteries there. I had no right to advise anything, and the hon. gentleman should not make capital out of this matter.

MR. MASSON: I state that the hon. gentleman was consulted upon the subject of sending troops to Montreal.

MR. MACKENZIE: By whom?

MR. MASSON: By the General in command of the division.

MR. MACKENZIE: The General had no more authority than I had to call out the troops.

MR. MASSON: The General in command consulted the hon. gentleman during the Montreal riots.

MR. MACKENZIE: He did not. I consulted him in regard to taking command himself if the troops were called out. The calling out of the troops was a matter with which I had nothing to do.

MR. KIRKPATRICK: I raised this point for the purpose of showing the slurs cast upon the Volunteer Force, and to prove that the force was called out and their services availed of by the hon. gentleman himself, on an important occasion.

MR. MACKENZIE: We never did so. We could not legally call out one man.

MR. KIRKPATRICK: Then I am certain we must have been misled about everything that occurred at that time, if the hon. gentleman's Government and the Minister of Militia were not responsible. We know that the Government introduced a Bill to defray the costs and

charges of calling out the troops in such cases out of the general expenses of the country. I would like to call attention to a very important omission in the present Militia Act, which I think should be rectified in the Bill passing through the House. There is at present no power given to the commanding officer to discharge any man from his corps without going through the formalities of a court martial.

MR. BLAKE: The hon. member for Frontenac (Mr. Kirkpatrick) says he must protest against the apprehension expressed on this side that the Volunteer Force would shoot down citizens in the streets—against the sneer at that force. It is not we, but the hon. gentleman, who is attempting to create some little political capital by suggesting that we expressed such apprehensions and uttered such sneers. In dealing with legislation on subjects of this description, we are bound, no matter who the persons are to whom special powers are to be given, to consider the possibility of the misuse of such powers, to remember that, in a moment of excitement, there may be some abuse of powers conferred on individuals in the interest of the public. It is our duty to recollect this principle, and guard the public against the possibility of such an abuse of power. These observations should be permitted without the slightest suggestion that the making of them is a sneer upon the Volunteer Force generally, or indicates an apprehension of a general misuse of such power. Nobody suggested that this force stood in the same position as a horde of foreign mercenaries; nor does any one believe that it, or even individual volunteers, as a rule, would, willingly, in cold blood, abuse their powers. But it is a large force, numbering many thousands, including members whose tempers are hasty, whose judgment is not the coolest; and, when you place them in trying circumstances, and entrust them with unusual powers, it is expedient to see that they are made responsible for the use they make of their weapons and their authority. Now, with reference to the suggestion of the hon. gentleman (Mr. Kirkpatrick), that it is becoming in the Parliament of a free people to agree that it is much better and safer to give to the Government, the political Executive, the power of calling out the military, than to

leave it with the civil power—if I had wanted to cast back upon the hon. gentleman the aspersion which he has attempted to cast on this side, I would have referred to the sneers thus cast upon the magistracy of the country—to the implied suggestion that they were unworthy and unfit to exercise the powers the law has wisely and properly entrusted to them of calling out the Militia. I do not say that the magistrates are all wise, are all sure to act rightly upon all occasions, are all Solomons. I could not say that of all the members of this House. But, notwithstanding, we are entrusted with very large powers in the management of the concerns of this country, and so of the magistrates; you must take them as a whole. It is an old doctrine—not I hope so old as to be worn out—that a constitutionally governed people should be extremely jealous of establishing in any shape or sense, however limited, martial law, or in according to the political Executive the duty or power of calling out the military. The hon. gentleman might almost as well suggest that we should change that old constitutional rule, take away the power given to the magistrates, and give to the Governor-in-Council the right to determine in all cases when the military force should be called out.

MR. KIRKPATRICK: With all due respect to the hon. gentleman (Mr. Blake), who has, in a very calm, judicial tone, lectured me for daring to find fault with anything he says, I must say a few words. I, a very humble member, admit I ventured to protest against some of his remarks, for which I have received from him, in a totally different tone from that in which he ordinarily addresses the House, a long lecture on my duty, and the manner I should assume here.

MR. BLAKE: No, no.

MR. KIRKPATRICK: I am very much obliged to the hon. gentleman; but will leave it to the House whether I was not justified in protesting against his sneers against the Volunteer Force. He said he would not trust himself to any captain, colonel or private of that force.

MR. BLAKE: I did not.

MR. KIRKPATRICK: I did not say, what the hon. gentleman charges me with having said, that the Act should be

changed, and that the sole power to call out the military should be thrown on the Government. But I said that, if the magistrates should have the power of calling out the military to set the law in motion, in apprehension of a riot, I thought we could not go far wrong in entrusting that duty to responsible Ministers, in the cases prescribed by the Act. We know that, with the exception of such cases as the Montreal riot, the volunteers would be called out without ammunition; so there would be no likelihood of their shooting down the people.

MR. BLAKE: The Bill says they shall have ammunition.

MR. KIRKPATRICK: Is it likely that, when called out to form a guard at the opening and close of the Legislature, or for attendance upon the Governor-General, the men would have twenty rounds of ball ammunition served out to them?

MR. CASGRAIN: Why not?

MR. KIRKPATRICK: If the hon. gentleman, who thinks such a thing likely, ever gets into the Government, I should like to relieve him of that power; but I do not think it is likely to be exercised by the present Government. Little confidence as I had in the last Government, I would as soon have entrusted it with the power of calling out the Force for the purposes mentioned, as some of the magistrates, against whom I uttered no sneer, any more than the hon. member for West Durham himself, who admitted they were not all Solomons.

MR. CASGRAIN: I want to understand the Bill. Now is the time to make it clear and cut clean. If I understand the hon. Premier, he says a soldier is obliged to obey orders, but that they must be legal orders. Is the soldier to be the judge of their legality or illegality? Does he intend to say that with our Militia Force as composed, one brother would fire at another? Does he think that the soldier in such cases would not judge as to the validity of the order? You must make the law clearer. If the soldier is obliged to obey under this law, he must not be responsible for carrying out his orders, he being a mere machine. The law should be understood by all, and not have to be interpreted after action under

it, as now, by the leader of the Government. Let us decide, one way or the other, whether the soldier may or may not disobey any of his orders, or submit to them without personal responsibility.

MR. KIRKPATRICK suggested the re-introduction of the clause in the Act of 1863, omitted from the Act of 1868, with reference to striking off the roll of the company or corps members guilty of disobedience, neglect or misconduct. At present, a commanding officer could not expel a member for such offences. He (Mr. Kirkpatrick) thought the restoration of the clause very desirable.

SIR JOHN A. MACDONALD said he hoped his hon. friend would not press his motion now. There must have been some good reason for the omission of the clause, and he would like to consult General Smyth and the military authorities before deciding on the matter.

Bill ordered to be reported.

House resumed.

(In the House.)

Bill reported.

MR WHITE (Cardwell): As a question of fact has arisen, with regard to an event that occurred in Montreal, I desire to read two paragraphs from letters addressed by the hon. member for Lambton, then Premier, to the Mayor of that city. The first is dated the 18th of June, 1878, and referred to the question of the magistrates calling out the troops.

"Of course, I am quite aware that the maintenance of order is in the hands of the local authorities, but I am desirous of aiding as far as the law permits the Federal Government to do so, and perhaps you will not seriously object to my expressing my opinion to you personally as to what I think it would be advisable to do."

That was written on the 18th June, long before any question of the magistrates calling out the troops had arisen. Then, in a subsequent letter, of 3rd July, also before the question of the magistrates calling out the troops had arisen, the hon. gentleman wrote thus, in the last paragraph of his letter to the Mayor of Montreal:—

"I have also to ask that you should consider what force may be necessary, and make a requisition either upon the Lieutenant-General in Command, at Ottawa, or upon the Deputy Adjutant-General, as you deem best, at as early a day as possible, and I will see that the troop, immediately in the pay of the

Dominion, as well as some other volunteer regiments, are available for the preservation of the peace."

I think, in view of that statement, the assertion of the hon. member for Frontenac was perfectly correct.

MR. MACKENZIE: It is not correct. There is nothing in those letters that impugns my statement. The troops were called out by the magistrates of Montreal. I asked them to make a requisition either upon the Commanding Officer at that city, or the General here, if they made any requisition, and that I would send the two batteries among the other troops that would go thither. That was all. There is nothing in those letters that I feel in the slightest ashamed of, or that casts a shadow of blame on the late Government. But there is a great deal reprehensible in the conduct of the hon. gentleman who has just spoken, and others on that side, in endeavouring to make political capital on both sides, with the Orangemen on the one hand and the Catholics on the other. I look back with unmixed pleasure to the course the late Government pursued in aiding to keep the peace, and I am very glad we sent General Smyth to command the troops in Montreal on that occasion. It had the effect of preserving order in Montreal in a way in which it could not have been maintained, if hon. gentlemen like the hon. member for Cardwell had had their own way in the transaction.

SIR JOHN A. MACDONALD: I look with unmixed pleasure, as well as the hon. member for Lambton, on the course he took on that occasion, because it appears to have had a good effect in maintaining the peace and preventing bloodshed. I think the hon. gentleman deserves credit for that action, but the wonder is that he denied having taken any action on that occasion. He first said he had no right to consult the Major-General, but in his last sentence uttered, he said he was very glad he had sent Major-General Smyth to Montreal to keep the peace. It was denied that the hon. member for Lambton had acted; but it is now admitted that he not only acted, but acted successfully; the recollection of which excites his pleasure. He should not allow his modesty to prevent his acknowledging his real merits in this matter.

Mr. MACKENZIE: What the hon. the Minister of Militia said was that I consulted with Major-General Smyth about the calling out of the troops, and I deny I had any consultation with him on the subject. I said we consulted together about the course he was to pursue as commanding officer; but we did not, and had no business to, consult about calling out the troops. For that matter, I stated distinctly that neither he nor I had any business with or control over it.

Mr. MASSON: The hon. member, as leader of the Government, interfered in the matter, when he should not have done so until he had in his hands the requisition of the magistrates.

Mr. MACKENZIE: I think I had a right to express my opinion, as the head of the Government, to the chief magistrate of the largest city in the Dominion, with a hope that he would endeavour to preserve order when a civil commotion was threatened. If I had no right to do that, I had no right to do anything, being responsible, as I was, for the government of the country. But I can quite understand the course the hon. gentleman and his associates are pursuing, did pursue in in that matter, and have pursued ever since. It is to endeavour to distract the attention of the public from the real merits of the matter, and they are perfectly indifferent whether the city and the country sink or swim, so that they are able to make some political capital out of it. I wish them joy of all the capital they can make out of it, for it will be but short-lived. The country knows what it has suffered from trusting its safety to them.

Mr. WHITE (Cardwell): I desire to disavow any intention of making political capital out of this matter. I entirely approved, and approve now, of the policy the hon. gentleman pursued at that time. I have no hesitation in saying here that the course he pursued was a good one in the interest of the peace of the city of Montreal. But I desire to call attention to the fact that the discussion in relation to the Bill has been entirely as to whether the Governor-General's advisers shall have anything to do with calling out the troops. Yet here is a statement made by the hon. gentleman that he himself, at a time of great difficulty in the country,

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wrote to the chief magistrate of the city, inviting him to act in the matter, prompting him to act, and offering the whole power of the Federal Government to back his action up. Now, it seems to me that, in view of that, it can hardly be said by hon. gentlemen opposite that this Bill contains anything which is likely to be injurious to the interests of the people of this country.

Mr. ANGLIN: Hon. gentlemen in referring to this matter seem to forget—I will not say conveniently forget—that the Mayor of Montreal, on that occasion, did not act upon the advice of the Premier of the day. Other magistrates acted according to their own judgment in calling out the troops. But, although no action was taken on the suggestion of the hon. member for Lambton (Mr. Mackenzie) to the Mayor of Montreal, I think, on the whole, that from a party point of view it was exceedingly impolitic to make that suggestion. I was glad to find that the hon. member for Lambton rose above mere party considerations in a case of that kind, and was desirous that, if the troops were to be called out at all, those approaching to the character of regulars should be employed on that occasion, as being more amenable to control and less likely to be led away by their personal feelings and prejudices. I believe, as a matter of fact, that these bodies of troops did act properly and well on that trying occasion, while it is known that some volunteers who were called in from the outlying parts of the country acted very improperly. At all events, when the hon. member for Lambton made a denial, it was not a denial of having suggested to the Mayor of Montreal what he thought should be done to preserve the peace on that occasion, but it was a denial of the statement that he had himself called out the troops, or had anything to do with calling out the troops, or that he had consulted the Major-General with regard to the manner of calling out the troops. That denial has not been impugned in any way. I presume that he, and he only, had the right to call upon the Major-General to assume command on that occasion in person, and in doing that he must have impressed on him the serious character of the crisis.

Bill read the second time.

INLAND REVENUE ACTS AMENDMENT  
BILL.—[BILL 7.]

(Mr. Baby.)

## SECOND READING.

Order for second reading read.

MR. BABY: Before I propose the second reading of this Bill, I think it but just to make some explanations of its character. When I introduced it, a few days ago, I stated that besides consolidating the Laws now in force, it contained some amendments which were, some merely verbal, and others tending to harmonise the different Acts, and to put them into such a shape that they might be more readily understood, and finally, some quite new in their character. For the intelligence of these remarks, I may say that the amendments in question can be divided into five classes. First, are the verbal amendments, properly speaking, which do not change the law but simply harmonises the Acts sought to be consolidated; these Acts, not being few in number, and having been amended at different times, might lead to some confusion in their interpretation. Secondly, the incorporation of so much of the 37 Vic., cap. 8, as relates to the compounding of spirits. This amendment will not impose any new duties, or any additional restrictions on compounders, but only transfer from the Act in question to this one that which forms part of the Excise Laws, entitled an Act to impose licences upon the compounders of spirits. Thirdly, some slight changes in the rates of duties are made, in order to avoid fractions of cents: First, the present duty on methylated spirits is 14·4c.; it is proposed to make the duty 15c.; secondly, on vinegar, the present duty is 3 6-11c. without regard to quality or strength; now it is proposed to define the later and make the duty 4c.; thirdly, the duty on spirits made out of molasses, in bond, in excess of the duty on spirits made from raw grain, is 3·6c. and this was equivalent to the Customs duty paid on grain, and the Excise duty paid on malt used by distillers from raw grain. It is now proposed to make the extra duty only 3c., which is deemed to be a sufficient equivalent for the grain and malt duty. Fourthly, the additional duty of 2c. per gallon on spirits made exclusively from malt in bond is proposed

as an equivalent for the duty paid by distillers from raw grain on the malt necessarily used by them with their grain, and as a compensation for the survey of the malt-houses, when the malt from which this class of spirits is produced is malted. It is evident, therefore, that the above spirit duties do no more than classify the spirits as those—chiefly made from raw grain; exclusively from molasses in bond; and exclusively from malt in bond. Generally, the amendments in relation to distilleries do not impose additional restrictions, and are only intended to make the law clearer, an object which all legislators must have in view. Here, I might say, that one of the amendments refers to chemical stills. At present, there is no provision in the law authorising the use of such stills, except upon the payment of the full amount of a distiller's licence fee, and compliance with all the conditions imposed in the licence. Several applications having been made from time to time by respectable chemists for permission to use small stills in their business—not for manufacturing spirits, but for reclaiming the same, which would otherwise be lost, from pharmaceutical preparations, it was deemed proper to accede to the request. In England, the use of such stills is legal on payment of a small fee, and it is proposed to introduce the same practice here. The fee charged will be \$10. Fourthly, the charge of a small licence fee for bonded warehouses and the increase of the licence fee for manufacturing tobacco. On the first point, I think it is but right to dispel, in a few words, any doubts that may arise in the matter. It has been said, somewhere, that Government had the intention of charging double fees to the manufacturer, that is to say, that it would exact a fee for the licence and another for the bonded warehouse, whilst now the fee was for both. I may say at once that it is not the intention of the law to impose an extra charge for a bonded warehouse that is already comprised in the licence, and granted to a manufacturer. The object of this clause is to oblige every person who desires to have a bonded warehouse outside of his business premises to pay a small fee, which will, to some extent, meet the expenditure for travelling expenses and others incurred by the Department, from the fact of these

warehouses being situated sometimes at a great distance from the head office. The demand for such bonded warehouses, which always require a great deal of supervision on the part of the officers of the revenue, has been continually increasing. Applications are made every day, and, if no restrictions are put upon the multiplicity of such places, by-and-bye every manufacturer, every tradesman and retailer, will ask for a bonded warehouse; and where will the line be drawn? To protect the revenue, the Department would feel obliged then to increase the number of officers to a considerable extent, thereby considerably diminishing our Excise revenue. As the law now stands, a fee is charged for having a bonded Custom-house; and there can be no hardship in the Government charging also for Excise bonded warehouses. Now, respecting the second point, I may say that the present license fee on tobacco manufactories is \$50. To the large manufacturer this is a very small matter as compared with his whole business. But the smallness of the fee is no compensation for the surveillance of the many small factories, established, very often, at considerable distances from the Inland Revenue offices. In many instances the travelling expenses and other costs of survey amount to as much as, if not more than the duties collected and the licence fee put together. Moreover, there is very great danger that the whole revenue will not be collected at the out-of-the-way places. It is therefore proposed to advance the license fee from \$50 to \$75, as a means of checking the increase in the number of such factories. Fifthly, we have come to the most important amendment contained in the new law, that respecting the cultivation, manufacturing, and charge of duty on Canadian tobacco. I trust that the hon. members representing rural constituencies will give more than a hurried attention to my remarks on this subject, as it interests the farmer in a high degree. So far, an Excise duty has been placed upon Canadian grown tobacco. Last year that duty was reduced from 10c. upon the raw leaf to 4c. Now, it is the intention of the law to do away entirely with the duty on the Canadian raw leaf, in order to give to this industry all the Protection it is entitled to. For a number of years it has been the experience

of the officers of the Inland Revenue Department that there was a very considerable illicit trade being carried on in the raw leaf of Canadian grown tobacco, and that this trade was not to the advantage of the manufacturer, not to the advantage of the grower, but to the advantage of the illicit dealer only, a large revenue being lost to the country thereby. After thoroughly examining the question, the Government, and both the manufacturers and the growers, saw that it would be to their interest to have a law which, whilst doing away with many restrictions now existing and wiping off altogether the duty on the common raw leaf, would protect all parties interested, including the revenue. Hence, in the Bill now introduced, the important changes, of which I am about to give you, Mr. Speaker, a short synopsis. They are: Firstly, To limit the unlicensed cultivation of tobacco by restricting it to the quantity usually considered necessary for the personal use of the cultivator; and the members of his family, resident with him on the farm; the quantity being estimated at 30lb. per annum for each adult male; only 10lb. for each family being now allowed by law, a quantity found to be inadequate. Secondly, That the cultivation of tobacco for sale shall only be permitted by those who take out a license to that effect. For such a license it is not proposed to charge any fee, but the cultivator will be required to give an account of what he grows and how he disposes of it; a most reasonable request, all will admit. Thirdly, The cultivator may also be licensed (without fee) to manufacture common Canadian twist tobacco, and sell it, but he will be bound to stamp such tobacco, at the rate of 4c. per pound, before he offers it for sale. Fourthly, Tobacco may be taken direct from a farm to a licensed warehouse, loose or unpacked, but with the exception that both leaf and manufactured tobacco must, when in transit, be in stamped packages; not duty stamped, of course, as the Excise duty is only payable on the manufacturing of the tobacco. Fifthly, Manufactured tobacco, made exclusively from Canadian leaf, in manufactories wherein no foreign leaf is used, will be charged with a lower rate of duty than tobacco in the manufacture of which foreign leaf enters. This is a great ad-

vantage, and a proper protection is given to the Canadian grown tobacco. This duty consists in 14c. on every pound of manufactured Canadian tobacco, instead of 20c. upon that of American manufacture, upon 30c. per pound on cigars made out of the Canadian leaf, against 40c. per pound on cigars made from American leaf. Everybody will see, at a glance, the changes thus operated—in fact it is a reduction in favour of the farmer or grower of 10c. per pound. Then it is the intention of the Government to grant licences at a reduced fee for the manufacture of Canadian tobacco. As the law stands now, there is only one licence granted for the manufacture of tobacco of all description made entirely of the foreign leaf, or partly of the foreign leaf and partly of Canadian leaf. Now, the manufacturer may, if he thinks proper, separate the Canadian from the American leaf. Whomsoever wishes to manufacture Canadian-grown tobacco alone can do so by paying a license less than the license imposed for the manufacture of tobacco from the American leaf. Yet this is meant to protect the Canadian grower and to give him a market to enable him to go to the manufacturer and sell his tobacco openly, instead of smuggling it as has been done, everybody must admit, for a number of years past. I think this great change is to the advantage of the manufacturer, as well as to the grower, and will be beneficial likewise to the public revenue. Whenever anything, which will tend to the happiness and welfare of the Canadian people can be encouraged, I think we ought to do it. We do not go, perhaps, as far as we would like to in this respect, but it is, nevertheless, a step in the right direction, I am sure, and the people of the rural districts must be impressed with the idea that the Government is not indifferent to their welfare. There are other amendments, also, respecting tobacco, but they relate to all manufactured tobacco, such as the establishing of a uniform standard in reference to moisture, namely, 90 per cent. of solid matter, and 10 per cent. of moisture. The putting upon the market of all manufactured tobacco in stamped packages only, distinguishing the American from the Canadian; the removal of stamps from all emptied boxes; the stamping of all imported packages of tobacco, etc., etc. All

the above amendments are not without their importance, and have been introduced after much mature reflection. Sixthly, The present law in relation to the manufacture of goods in bond does not state with sufficient clearness the conditions under which the bonded manufacturers license may be granted. The chief article used in these manufactories is alcohol, and the high rate of duty upon it has greatly increased the importance against any illicit use on removal of spirit after it has been entered in a bonded manufactory. It is also necessary to empower the Department to provide more fully against legalising the manufacturers of goods containing articles in such form and proportions as might endanger the public revenue. Methylated spirits and vinegar are the chief products of bonded manufactories, and to render the possibility of fraud, in relation to these articles, to the narrowest limits, it is considered necessary that the Department should absolutely control the quality and strength of the wood-naptha used in the one case, and the strength and quality of the vinegar produced should truly represent the quantity of spirits from which it is alleged to have been made. The amendments proposed are intended to accomplish these objects. The last amendments proposed relate to fines. So far, the penalties imposed by the Act have been altogether too high, so much so that whenever the officers of the Department have had occasion to prosecute anybody in Court, for infringing the provisions of the law, it has been almost impossible to get a verdict. The penalties imposed range up to \$500. It is thought proper to reduce these penalties upon the first offence, so that a verdict may be more likely arrived at. People generally say of such offenders, "Oh, it is only the Government that is concerned, why inflict such a high penalty upon a poor man; after all he was only working to keep himself and his family, and he ought not to be punished so harshly for that." It is to avoid this kind of reasoning by juries; and the just punishment of those who infringe the law, that the penalties have been reduced. When we go into Committee I shall have much pleasure in explaining more in detail the changes and amendments proposed in the law. Such are, Mr. Speaker, the remarks that I was bound to offer in



proposing the second reading of this Bill. With your permission, Mr. Speaker, I will now proceed to repeat in French what I have so imperfectly said in English, principally in regard to Canadian tobacco. The principal question which presents itself in connection with the motion for the second reading of this Bill is that as to Canadian tobacco. For several years back, and more especially since the imposition of duties, a solution has been sought to the problem: can the Canadian farmer, under the circumstances in which he is placed, cultivate the plant so as to be remunerated for his labour? It was asserted that the cultivation of the Canadian plant was an injury to the manufacture in this country of tobacco brought from other countries, burthened with heavy duties, and yielding a large revenue to the Treasury. Notwithstanding that the Government last year reduced the duty on Canadian leaf from 10c. per pound to 4c., in order to promote the payment of the tax by the grower, yet I must say that the Treasury has not been largely benefitted thereby. The time has, therefore, come for a calm and deliberate examination of the question, in order to ascertain whether it would not be possible to protect the Canadian grower in the legitimate trade he carries on in that article, without, however, depriving the State of the revenue it must derive from tobacco. At present there is an Excise duty both on the leaf and on the manufacture, and consequently there is this difference: that the tax is 24c. on Canadian tobacco once it is manufactured, and 20c. only on American leaf when it has reached the same point. By the law now introduced it is the intention of the Government to remove that anomaly. Not only do we take off the 4c. on the leaf, but we largely reduce the duty on the manufacture, by putting it at 14c. in place of 20c. Moreover, at present each family is entitled to keep in its possession only 10lb. of Canadian tobacco, any excess being liable to seizure and confiscation. Under the provisions of this Bill, each individual of the family is entitled to keep 30lb. of tobacco for his own consumption. This is most assuredly a very liberal allowance. The surplus may, under license, be converted into twist and sold on the market, when stamped to the amount of 4c. per pound.

MR. BABY.

This is in order to encourage the Canadian grower. It is an undeniable fact that an enormous quantity of tobacco is grown in this country. This article is now so extensively cultivated that farmers deem it a matter of great importance, more especially in the counties situated on the north shore of the river St. Lawrence. So much so, that several proprietors have, to my own knowledge, visited Virginia and South Carolina, in order to study for themselves and ascertain the best mode of cultivating tobacco. They have acquired knowledge, which they are applying with marked success in growing the article in our country, and in fact the quality of our Canadian tobacco is now, if not superior, at least equal to the quality of that grown in the State of Connecticut. As a matter of course I do not speak of those fragrant tobaccos which are grown in the island of Cuba and in the Southern States, and which the soil of Canada cannot produce. Those who have read the proposed amendments will have seen that the Department will require that farmers who cultivate tobacco for sale shall take out a license, which, however, is to be granted free of charge. Fears have been expressed in certain quarters that this license which the Government is about to impose on those who cultivate tobacco for commercial purposes, would be somewhat objectionable, and would be looked upon as a species of encroachment on the liberty of the subject. But all such apprehensions are easily removed. While we desire to protect the producer and the manufacturer of tobacco, we must also protect the Treasury. This is necessary in the interest of the manufacturer, in the interest of the producer himself, because, by protecting the Treasury, we protect both these classes themselves. If this be so, growers of tobacco can manufacture and sell their product openly, and they are not liable to have their tobacco sold at a ruinously low price because of those who seek to avoid paying the duty a practice now carried on on a large scale. Now, by compelling those who wish to grow tobacco for commercial purposes only, to take out a license, the Excise officers know exactly those persons who are licensed and who intend to grow tobacco for commercial purposes, and can more easily look after them and even

protect them, if need be, against those who want to defraud the revenue, and do them an injury. Another provision of the law which must, I feel convinced, meet with general approval, is that which relates specially to those persons who are engaged in the cultivation of Canadian tobacco and who have hitherto had, so to speak, no market for their product. Immense quantities of Canadian tobacco are, as it is well-known, disposed of secretly and in violation of the law. Every day the Excise officers are called upon to make large seizures of that article. It is but very rarely that the owner of the tobacco is discovered. It is carried on the railways, steamboats, and highways, and no one knows by whom it is sent or to whom it is to be delivered. These persons give up their whole time, and often the greater part of their small capital, to the cultivation of Canadian tobacco, and then lose it all at a stroke because they will not comply with the requirements of the law. Well, we now say to those persons: "If you desire to sell your tobacco to the large Canadian or American manufacturers, it is quite easy to do it. You can take it to them and dispose of it in broad daylight and for the price it is worth." Our tobacco always commands its price, and if the sales, of which the Department has cognisance, amount to but a few hundreds of thousands of pounds, it is because a very large quantity is sold in secret. But I feel confident, that for the future, when the farmer wishes to dispose of his tobacco, he can take it openly and in broad daylight to the manufacturer, and it will be to the interest of the latter to purchase the Canadian leaf, because he will have a differential duty of 6c. in his favour, as I have already stated, and 10c. on cigars. I think these provisions of the Bill are a step in the right direction, and that they will meet with the approval of this House, and more especially of the hon. gentlemen from the Province of Quebec, whose constituents are so largely interested in the cultivation of the plant. Opinions may differ as to the expediency of encouraging the cultivation of tobacco. It is said to be injurious to health and prejudicial to those who use it, but I leave it to the doctors to decide that question, with that unanimity of opinion which is, seriously speaking, the univer-

sal characteristic of the faculty. Moreover, the use of tobacco has now become engrafted on our civilisation, and its cultivation is, to-day, one of the great interests of the country. The Canadian grower has long been asking the Government to grant him the right to cultivate and manufacture the leaf, under suitable restrictions. I think we have discovered the means of meeting the wishes of the people. It is quite possible that the proposed law may not be perfect, no law can be said to be absolutely perfect; but, at all events, I think it is, as I said before, a step in the right direction, and I am confident it will meet with the approval of both sides of the House.

MR. LAURIER: The hon. the Minister of Inland Revenue, who has just taken his seat, has confined himself in his discourse to treating principally of the Excise duty imposed upon the cultivation of tobacco in the Province of Quebec. For my part, I have not forgotten, and I am convinced that my hon. friend has likewise not forgotten, the torrents of eloquence which were set flowing during the elections of 1878, and for several years before that time, against the tyranny exercised over Canadian farmers, and especially over those of the Province of Quebec, by dealing a blow to the cultivation of tobacco by imposing an Excise duty upon it. Many and many a time I remember to have heard the hon. gentlemen of the right making severe remarks upon their adversaries; not because they had imposed a duty upon tobacco, but because they had judged it proper to make a law to regulate the tobacco trade, and to increase the duty by a few cents. At that time I was of opinion, and I am still of the opinion, that if there is one article which ought to pay a tax that one is tobacco. There can be no doubt on that point. Seeing that the Government requires a revenue, it is clearly preferable to tax objects of luxury, such as tobacco, than objects of prime necessity. It is, in my opinion, infinitely more desirable to put a tax upon tobacco than to put one on flour; and I am convinced that the farmers of Quebec if they had the choice would express themselves as being of the same opinion. Now, as to the amendments proposed to be made to the existing law, the only change effected, if I understand the hon.

Minister, is made under the pretext of lessening the tax. It is alleged that they are going to diminish the duty on tobacco, but, in my opinion, the new provisions of this Bill will have the effect of rendering the duty heavier. As it is levied to-day, the tax is reduced to an insignificant affair, and presses lightly upon the cultivation of tobacco. If I have understood the hon. the Finance Minister, when he made his financial statement, he declared that from his new tax on tobacco he expects to gather a revenue of \$200,000. It is evident that if the hon. Minister of Inland Revenue, by means of this new law, collects a revenue of \$200,000 per annum, this will be a tax which will weigh more heavily upon the cultivators of tobacco than the present one does. Besides, the burden of this tax presses entirely upon the farmers in the Province of Quebec. There is very little tobacco cultivated elsewhere. According to the hon. Minister, the policy of the Government is based upon the supposition that the tax borne by the people at the present moment is too heavy to collect a revenue from it, and they intend to lessen the tax in order to make its collection easier and more general. Consequently, the tax will be heavier next year than it is now. If this is the case, I cannot conceive how the calculations of the hon. gentleman can be realised; I cannot conceive how the cultivation of tobacco will be encouraged. I do not share the views of the hon. gentleman as to the cultivation of tobacco in the Province of Quebec. I have already had occasion to pronounce my opinion upon this question, and I am perfectly convinced that the soil and climate of the Province of Quebec are infinitely better suited to the cultivation of cereals than to that of tobacco. It is known that the tobacco plant is extremely sensitive to climatic changes, and that the Province of Quebec is subject, to a greater degree than the other Provinces, to climatic changes. Up to the present time the cultivation of tobacco has not been profitable. I am much in doubt whether this crop can ever become remunerative, for the simple reason that the climate of the Province of Quebec is not suited to its cultivation. Besides, I doubt much whether these fiscal conditions, imposed by my hon.

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friend in the Province of Quebec, will be popular. If he really has at heart the encouragement of this product, if he believes that the soil of the Province of Quebec is as suited to its cultivation as to the cultivation of cereals, why does he wish to injure it by the imposition of a tax? My hon. friend would not desire to impose a tax upon the growing of wheat, and upon that of other cereals. His argument appears to me illogical, if he is sincere in his opinion that the soil of the said Province is more suitable for the cultivation of tobacco than for that of cereals.

MR. BABY: It is as well suited for the cultivation of tobacco as for that of cereals.

MR. LAURIER: Then if the soil of the Province of Quebec is suitable for its cultivation, this is a good reason for favouring its cultivation, and not to impose any tax whatever. I am inclined to believe that making the obtaining of a license a condition by each person wishing to cultivate tobacco for the purposes of trade, will have the effect of putting a powerful restraint upon the farmers. Why would they grow tobacco if it was not for the purposes of commerce? It never has been the intention of any Government to impose a tax upon tobacco consumed on the farm, and it never has been the intention of any Government to compel the taking out of a license for those who grow tobacco for their private use. A license has always been insisted on in the case of those only who sell this article. In this matter my hon. friend makes existing legislation much more onerous than it is by his fiscal restrictions. I am certain that all the speeches, all the harangues which we have listened to about the tyranny of those who would wish to oppress the cultivators of tobacco, will rebound upon the heads of those who, having always protested against any tax whatever being imposed upon tobacco growing, do, nevertheless, impose one at the present hour.

MR. BERGERON: In the Province of Quebec the tobacco question is a very important one. In some of our counties, tobacco is as largely grown as wheat; and if it is now possible for us to compete with American tobacco, it is in consequence of the improvements in the law effected by the hon. the Minister of

Inland Revenue. It is not a matter of surprise to me to see the hon. member for Quebec East (Mr. Laurier), formerly Minister of Inland Revenue, rise to reply to my hon. friend on the subject of the amendments which he has made to that law. He says that our friends imposed a duty on Canadian tobacco. If my recollection serves me, our friends imposed a duty of 6c. on Canadian tobacco, and when the Government, of which the hon. member for Quebec East formed part, was in power, the duty was raised to 10c. a pound. During the last election our friends made this question a point of contest; they maintained that if anything in the country was to be taxed, it should rather be articles of luxury, such as tobacco and liquor, than articles of absolute necessity. That is true, and that course is precisely the one which the Government which is now in power, in accordance with its National Policy, adopted. The hon. the Minister of Inland Revenue, by now placing a duty of only 4c. on Canadian tobacco, proposes to protect our growers and promote the cultivation of home-grown tobacco, in preference to the foreign article. It has been said that the Canadian soil is not adapted to the cultivation of tobacco. It may be so; but if our farmers are content, if Canadians prefer to smoke their pipe of home-grown tobacco in preference to foreign tobacco, why should they be deprived of the privilege? And it was their affair if, on the 17th September, 1878, the Canadian electors declared that it was their desire that the cultivation of tobacco should be favoured by the Government. Why should they now be told that they were wrong, and that the late Government was right when it imposed so heavy a duty on the cultivation of tobacco? The hon. member who has just spoken says that he is satisfied that the law inaugurated by the hon. the Minister of Inland Revenue will not be popular. That statement is premature; we do not know whether it will be popular or the reverse. In my opinion it will be popular; but one thing we do know, and that is, that the law of the old Government was unpopular. Our farmers had to pay a duty of 10c. a pound, and if they were unable to do so, they had either to give up growing tobacco or else grow it by stealth. Now, a farmer who wishes to make

tobacco, can do so openly on payment of a slight duty, and will not be compelled to defraud the Government. We know that it is commonly said that to steal from the Government is no great matter. That went on upon a great scale under the old Administration. It has been said that the old license was not observed. That is true. Should the electors be allowed to believe that, when the Government makes it their duty to take out a license, they ought to pay no taxes? Ought they to be led to believe that they should rob the public chest? No, but under the former Government they had either to pay 10c. a pound, to be able to walk erect and sell their produce without fear, or else they had to sell it in secret and rob the Government. I am of opinion that the cause of the farmers was very well pleaded by the hon. the Minister of Inland Revenue, and that the former Minister of that Department was unable to defend the policy of his Government. No further proof is necessary to show that the electors will be satisfied, and that our Canadians will be content with being able to make tobacco, whether they sell it or smoke it themselves.

MR. BABY: I had intended giving explanations on this subject in Committee, but in order to satisfy my hon. friend from Jacques Cartier, I may tell him that the license will be purely and simply granted, in order to be able to put the farmer in communication with the Government. A responsible officer of the Department will be appointed in every place, where required, in order to issue gratuitously such licenses. In conformity with the Order in Council which we shall subsequently make, these licenses will be sent either to the postmaster of the place, to the secretary-treasurer of the municipality, or to any other person whom the Government may deem suitable. In every case we will give all possible facilities to the farmers to procure these permits. The license will be issued gratuitously. The object of the license is, as I have just stated, to place the Government in connection with those who cultivate tobacco in large quantities, and for purposes of commerce. There are several of them who cultivate, not only hundreds, but thousands of pounds of this commodity. In the counties of Montcalm, Joliette, Berthier and

L'Assomption and others, there are farmers who cultivate and gather from 3,000lb. to 5,000lb. of tobacco annually. The Government has a right to know what becomes of this tobacco and where it is consumed.

MR. LAURIER : And if they wish to cultivate it for their own use.

MR. BABY : My hon. friend ought to know that according to the law now in force, each family can only keep at one time 10lb. for its own use, and any surplus is liable to seizure and confiscation. The present Government acts with much more liberality. We allow each member of a family, that is to say, the father and sons, to have and keep 30lb. for his personal use. We speak to them in this way : You are not dealers in tobacco. You may keep so much of it as is necessary for your personal use ; but, if you wish to make a business of it, then you must provide yourself with a license, which will cost absolutely nothing. In this way, none but those provided with a license will be able to sell tobacco to the manufacturer, and also on the market when in a "twist," the law in this case requiring the affixing of a stamp upon each packet of Canadian tobacco, at the rate of 4c. per pound.

MR. GIROUARD (Jacques Cartier) : Will the farmers be obliged to give security before obtaining this license, and what will be the consequences of failing to obtain a license ?

MR. BABY : The farmer trafficking in tobacco will not be compelled to give security. There is an error in this respect which occurred when drawing up the section, and which will be remedied in Committee of the Whole. If such a farmer has not this license, the result will be as follows : If he has in his possession a quantity greater than that mentioned in the proposed law, that is to say, 30lb. for each member of the family, the surplus will be liable to seizure and confiscation, in the same manner as provided by the law in force.

MR. GIROUARD : How can the Inspector know whether a field of tobacco will produce more than 30lb. for each member of the family, or more than the quantity required by the family ?

MR. BABY : It is the duty of the officer who issues the license to estimate the probable yield of a field of tobacco.

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I do not think that any difficulty will be found in this respect. All that we can do is to give every facility possible to the farmers to cultivate tobacco, and to do it in the manner the most practical, and, excuse the expression, the least bothersome. As to the licenses, I repeat that it is the intention of the Government to place them within the reach of the farmers, so that every person may procure one when he requires it, and the stamps will be in the same position.

MR. DUGAS : It is my duty, in the interest of my constituents, to stand up on the floor of this House and speak in favour of this measure, which must be a great advantage to the agricultural community. We all know how we have to make amendments to laws passed years ago ; even the great scheme, the National Policy, experience has shown, requires some slight modification. I was greatly surprised at the remarks made by the ex-Minister of Inland Revenue (Mr. Laurier). He depreciated the climate and the soil of this country. We are here not to work in the interest of a party, but in the interest of the country. In 1878, a notice of motion was given which had in view the promotion of the interest of tobacco-growing in the Province of Quebec, and I was to second that motion ; and I am glad that the hon. the Minister of Inland Revenue and the hon. the Minister of Public Works are fulfilling the promises they made in 1878. The ex-Minister of Inland Revenue said that it was an object of luxury. I certainly differ in this opinion. We want the producer to pay no tax on it whatever ; and that is the object of the hon. the Minister of Inland Revenue. I am sorry to say that the ex-Minister of Inland Revenue is more actuated by party sentiments than by sentiments of interest for the country. The hon. the ex-Minister of Finance, in his Budget Speech in 1878, said that the predominant interests in Canada were those of the agricultural class. But whatever did he do in the interest of the agricultural class ? It is the duty of the members of this House to vote in favour of the Bill brought forward by the hon. the Minister of Inland Revenue. I did not intend to make a speech on this matter, but I felt it was my duty to do what I could to promote the interests of the agricultural class. I hope this law now before the

House will be passed as it is. I am sure it will be received well by the agricultural class of the country.

MR. PATTERSON (Essex): As I understand the measure brought down by the hon. the Minister of Inland Revenue, its object is to do away with the duties on the Canadian raw leaf tobacco altogether. This, I think, will be highly satisfactory to the people engaged in the cultivation of tobacco, and, as my county is largely interested in that cultivation, I feel it my duty to cordially support this measure; but I do not quite understand the clauses in regard to factories for the manufacture of tobacco. I do not see how a separate factory is to be established for the manufacture of Canadian leaf alone. In the town in which I live there is a manufacturing company; Mr. W. E. Saxton, a large manufacturer from Detroit, having established a tobacco factory, which turns out tobacco for the Canadian market very extensively. He is a large importer, but is willing also to use the Canadian leaf, and to buy the raw tobacco from our farmers; and I think, therefore, it would be better for the manufacturers to have a bonded warehouse on their premises, for the purpose of storing our Canadian leaf. Otherwise our farmers might be deprived of a market; and I am told that the farmers of Essex, who grow tobacco, would be compelled to seek their market at Montreal, and that their profits would be eaten up by the cost of transport. I think, with regard to the imported leaf, which is more valuable than Canadian leaf, there should be in addition to the Inland Revenue duty, per pound, an *ad valorem* duty. I would urge this upon the consideration of the hon. the Minister of Inland Revenue. There is not sufficient margin, at present, to encourage the growth of Canadian tobacco. By imposing an additional duty on foreign leaf, in the shape of an *ad valorem* duty, the tax will be more on a level. An excellent quality of tobacco, can be produced in Essex, especially in the southern townships, and in Pelee Island, and the present changes will tend to foster the growth of the Canadian tobacco, and will, I feel assured, be highly satisfactory to our farmers. I must congratulate the hon. Minister on having had the courage to grapple with this question, which has been

shirked by so many of his predecessors, and the country, I doubt not, will appreciate his action.

MR. PLUMB: Coming from a district well adapted for the cultivation of tobacco, and in which tobacco is successfully grown, I feel an interest in this matter; and I must congratulate the hon. the Minister of Inland Revenue on his having brought forward a measure for the encouragement of the cultivation of that important staple. We might ask the hon. the Minister of Inland Revenue, if, with a view to encouraging tobacco-growing in the Dominion, it would not be desirable to give information in regard to the best methods of culture and cure, and to procure and distribute the most suitable kinds of seed, through the local agricultural societies, in those districts where it is desired to make experiments. The laws heretofore existing, and which are by this Bill to be changed, have prevented our farmers, generally, from making extensive experiments; but I may say that during the late war between the Northern and Southern States, when the supply of Southern tobacco was cut off from the Northern States, Connecticut, Massachusetts, Ohio, and some of the States along the border of the slave line, commenced the culture of tobacco, and in Connecticut, where the land had been largely tilled and exhausted, tobacco became a great staple; in Ohio, too, it is now a crop of enormous value, and there is no reason in the world why it should not be an equally valuable crop for Canada. It was necessary to remove the unpleasant restriction which existed in the shape of being subjected to the visit of a tax-gatherer to collect a duty upon whatever tobacco might be grown beyond ten pounds weight, to encourage the farmer to make his experiments on it, and I again congratulate the hon. the Minister of Inland Revenue, in support of what has been said by my hon. friend from Essex (Mr. Patterson), in having grappled with that difficulty, not so much with the view of raising the public revenue as with the view of giving the agricultural classes a large source of profit, and by giving them a full opportunity to cultivate the tobacco plant. Tobacco is known to be an exhaustive crop; it is known to take out of the soil that which cannot be given back to

it; but our soil will bear the crop by rotation for many years without damage. The plant has been cultivated largely, and can be again cultivated, in Ontario, particularly in Lincoln, Kent and Essex. In the Province of Quebec it will be found an important item in the list of crops. Through the arrangement now adopted of getting the revenue from the manufacturer, it will ultimately yield a large revenue to Canada. I remember well, when this matter was under discussion here three years ago, that there was a great difference of opinion between two of the hon. Ministers of the Crown. One, then Minister of Inland Revenue, claimed that the proposition to remove the duty from home-grown tobacco was of no consequence, because it could not be grown in the Lower Provinces; he ridiculed the affair. The other, then Minister of Finance, appealed to the hon. gentlemen, then in Opposition, now on the Treasury Benches, to aid him in sustaining the Excise duty, because, if it were taken off, the Treasury would lose \$800,000. But it has been proved that the hon. gentleman who had charge of the Inland Revenue was mistaken in his estimate of the value of this tobacco-culture, or the consequences of removing the duty. There is no reason why it should not be one of the most important staples produced in Canada, and I trust the Bill of my hon. friend will meet with the general acceptance of the House, and that he will receive the credit he is entitled to for having sedulously and laboriously prepared a measure which, I have no doubt, will meet with general favour among the agricultural community throughout the Dominion of Canada.

Mr. GIROUARD (Jacques Cartier): It has been represented from both sides of the House that tobacco is an article of luxury more than of necessity. I believe that, in the opinion of the majority of the people of this country, tobacco is as much an article of necessity as tea or coffee. Thirty or forty years ago tea was almost unknown as a beverage, while to-day it is regarded as an article of necessity. Tobacco stands on the same footing. For that reason I would be in favour of seeing it as lightly taxed as possible. However, for the purposes of revenue, I am perfectly willing that some taxation

should be imposed on tobacco, but it seems to me that that taxation should be levied in accordance with the general policy of the present Government, that is, to protect the Canadian product and tax the imported article. The Bill before the House seems to me to be a decided improvement on the tobacco laws introduced by the late Government. We all recollect that the tax then was 10c. per pound on the leaf and 20c. Excise duty, making altogether a tax of 30c. per pound on tobacco of Canadian growth. This was a very heavy burden on the Canadian farmer. The present Bill is more in accordance with the Protective policy of the Government, by introducing a differential duty in favour of Canadian grown tobacco, as against the imported article. But the Bill forces the cultivator to take out a license to raise tobacco for the trade, and to this license I object, in the name of an agricultural county. I doubt that, before imposing this new restriction on the agriculturists of Canada, the Government has seriously considered the consequences of their policy. The "cultivator's license" is a new feature brought into our legislation. It should not be exacted. The farmer should have the privilege of putting into his fields whatever he pleases, free from any restriction or examination by Excise or other officers. I think we ought to do as they do in the United States, where the planter has the privilege of growing as much tobacco as he wants for family consumption. Another important feature of the American law is that no license is required by the planter; and most assuredly, if there is any country interested in seeing that its revenue laws are not evaded in respect to tobacco, it is the United States. We all know that the Southern States are the great tobacco-growing States, and there the planter, although he puts into the soil thousands upon thousands of dollars, worth of tobacco, is not compelled to submit to the annoyance and importunities of Excise officers. I think we ought to follow that example. As in the south, the farmer ought to be forced to sell his tobacco to a licensed dealer, to be found in every village, and to no one else. I think the Bill before the House will produce very serious and damaging results to the grower of tobacco in the Dominion, an

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especially in the Province of Quebec. Before the farmer becomes aware of the new stringent provisions of the Bill, he will have his crops in orripe, and they will be liable to confiscation, and himself subject to heavy fines. A measure of this kind ought to be announced at least one year before it is submitted to Parliament, or comes into force. With the exception of this cultivator's license I highly approve of the general feature of the Bill; but I object to the agricultural community being subjected to unnecessary restrictions unknown up to the present time in Canada, and which are unknown on the whole of this continent. When the Bill goes into Committee, I shall propose some amendment as far as the cultivator's licence is concerned.

MR. CASGRAIN: To carry out the system of Protection consistently, the cultivation of tobacco should be protected in its entirety, that is to say: it should be free from all taxation; and, on the contrary, a tax should rather be imposed on imported tobacco than on that grown in the country. If my recollection serves me, when the same question was under discussion some two years ago, the Minister of Public Works, and, I think, the Minister of the Interior, also expressed their views in that sense, both verbally and by their votes; and I think that they are now changing their course, that is, that they do not choose to follow up the ideas that they then enunciated. I am of opinion, as has been said by the hon. member who preceded me, that this course will impose a restriction on trade to which a large number of our farmers will be unwilling to submit; that it will impose a restriction which may, up to a certain point, appear to be a simple formality, but which, from the farmer's point of view, is not simply so. He maintains that he has a right to sell his wheat, his barley, and his tobacco, without a license; and this policy is one which, I consider, will recoil upon its authors, who are now putting it in practice. On another hand, since the question now comes squarely before the House, I must as squarely express my opinion against the Bill. It is true that from one point of view the tax appears to be diminished, yet on the other hand the hon. the Minister of Finance tells us that that tax

is to yield to the public chest a sum of \$200,000. This is how it is asserted that the tax will be diminished. For my part, I do not approve of that policy; and in the name of the Province of Quebec, which is the most interested, because the burden is laid more heavily upon it than upon all the other Provinces, I must oppose this tax.

MR. LANDRY: I ask pardon of the House for venturing to speak immediately after one who considers himself, and wishes to pass for, the authorised chief of the squad which is called the French Liberal faction of the Province of Quebec. Whether or not he speaks in the name of that fraction is his business, and may or may not be satisfactory to those whose mouth-piece he claims to be; but what I deny the hon. member for L'Islet (Mr. Casgrain) is the right or the liberty which he takes of speaking in the name of the Province of Quebec, as he has just done. We have indeed just listened to him. It was in the name of the Province of Quebec, he said, that he protested against the presenting and the passing of the Bill which the hon. the Minister of Inland Revenue has just laid before the House. It is neither the right nor the duty of the hon. member in any way so to express himself, and, for my part, I protest against such an assertion and such an encroachment. This is not the only error of the hon. member. What have we just heard? We can hardly believe our ears; but the hon. member's words have been pronounced, and what did his accusing voice say? That barely two years ago the hon. the Minister of Public Works (Mr. Langevin), and the hon. the Minister of Inland Revenue (Mr. Baby), rose in this House to protest against the imposing of a tax upon tobacco; but that since that period those two hon. gentlemen had turned aside to approve to-day what they then condemned. Before replying to the accusation itself, may I not ask whether the past conduct of the hon. member for L'Islet does not give me an incontrovertible right to turn to him and enquire whether the course which he proposes to follow now is not in strange contradiction to that which he adopted in 1874, whether he does not to-day burn what he then worshipped? In 1874, when the late Administration called upon the House to impose a tax of 10c. upon



Canadian tobacco, what did the hon member for L'Islet do? That virtuous apostle of the people, who does not wish that the people should be taxed, then supported the Government of his friends, and, without a frown, voted for the 10c. tax, and the farmers of his Province then felt the heavy burden of taxation upon their shoulders. That was what he did in 1874; that was what he maintained for the five years during which his friends remained in power, and every effort of our friends to diminish the amount of the tax invariably found an opponent in the hon. member for L'Islet. To-day we find the hon. member for L'Islet, now mounted on the steed of a leader, but still fighting, and always fighting against the interests of the people, in the name of that same people, who certainly did not send him here to display that species of valour. It is, in fact, known to everyone, and the hon. member for L'Islet cannot but be aware, that the present legislation proposed by the hon. the Minister of Inland Revenue (Mr. Baby) must produce a threefold result. First, It will diminish the tax imposed upon Canadian tobacco. Second, It will promote the cultivation of that aromatic plant. Third, It will produce to the Treasury, by more efficient inspection, a greater revenue. And, Sir, in the face of this threefold benefit, in the face of important improvement in the working of a law which has, up to the present time, given rise to great discontent, we find the hon. member for L'Islet rising, in his indignation, to protest against the proposed legislation, and to refuse, he, one of the members of the Reform party, to refuse to fall in and walk in the path of true reform. What does the hon. member say to explain this anomaly? He repeats the assertion, more than once adduced, that a tax on Canadian tobacco interferes with its cultivation, and is therefore injurious to the interests of the farmer. "Tax foreign tobacco," adds the hon. gentleman, "tax foreign tobacco, and I go with you, for that tax will necessarily promote the sale of our tobacco; but in mercy impose no tax on Canadian tobacco, unless you wish to stop the cultivation of it." Let us examine this question. In my opinion there is nothing easier, and two words will suffice to place it in a proper light. I lay it down as a

principle that it is the consumer of an article, and not the producer, who ultimately pays, not only its intrinsic, but also its extrinsic, value. It is the buyer, and not the seller, upon whom the taxes press. The hon. member for L'Islet wishes that foreign tobacco should be heavily taxed; and in this connection I congratulate him upon having at last understood the nature and the value of Protection, and upon his thus endeavouring, though in a somewhat round-about manner, to cause the principles upon which it rests to triumph. If tobacco grown in foreign countries is subjected to a high tax, the farmer will necessarily, in order to escape the obligation of paying a considerable sum, himself cultivate his own tobacco. But if the duty on foreign tobacco is high, the Canadian farmer will not only grow the plant for his own use, but will likewise cultivate it for purposes of trade, because he will be able to sell it at a high price and compete, with certainty of success, with the foreign producer, who will be obliged to charge a high price for his tobacco, in order to reimburse himself for the cost of production, transport and duty. Naturally, therefore, home production would overwhelm and kill off the importation of foreign tobacco. But if you kill off that importation, you deprive the Treasury of a considerable source of revenue, and you, consequently, place yourselves in the position of being compelled to impose fresh taxes. That is the whole question. How do the Government propose to solve it? In the simplest and most judicious manner possible. Their Bill is before us, and anyone who takes the trouble to examine and understand it, must see that it is highly favourable to the interests of the grower, and that it will secure for the public Treasury an amount equal to that which the reduction of imports of foreign tobacco must of necessity entail. Under this Bill any farmer can raise for himself and his family all the tobacco they require, without paying a single cent of tax. If the farmer is now desirous of extending the sphere of his operations, he can do so; the duty on foreign tobacco is now high enough, not only to permit, but, in fact, to stimulate the production of native tobacco, and the farmer can cultivate the plant for commercial purposes. But, so soon as the farmer undertakes to grow

tobacco for sale, he must pay to the Treasury a sum of 4c. for each pound of tobacco so placed on the market. This tax is sufficiently low to render Canadian tobacco easy of sale, consequently it is not injurious to its production. Moreover, it is not on the Canadian grower it falls, since, as we have seen, it is not the producer but the consumer who pays the value of the article he buys. The last advantage of the present Bill is, that the duty levied goes to the public Treasury to replace the sum lost to the State by reason of the diminution in the importation of foreign tobacco, which is the necessary result of the Protection granted to the production of our own. The interests of all are therefore carefully guarded; that of the farmer, who consumes his tobacco, that of the Canadian grower who cultivates tobacco for commercial purposes, and that of the State, which protects both of them and gives the advantage to its own people. But, in order that this result may be attained, the law must not be a dead letter. Its provisions must be such as to secure its faithful execution. I have every hope that the working of the law now before us will prove the efficacy of the measure, and will set at rest the exaggerated fears which have been expressed here this evening. I heard it stated—and I think it was the hon. member for Jacques Cartier (Mr. Girouard) who made the assertion—that our people, and more especially those in the Province of Quebec, were not prepared to receive the measure now presented, in so far, at least, as regards the licenses which the Government propose to issue in order to legalise the production of tobacco grown for commercial purposes, and in order to provide a more effectual mode of collecting the duties imposed on the cultivation of this article. I could understand the truth and fitness of the hon. member's assertion, if the proposed law were an innovation; if there were not already in existence a law still more stringent and placing a heavier burthen on the shoulders of the people. But everybody knows that the late Administration introduced and carried a Bill imposing heavy duties on the producer of Canadian tobacco. And now that the present Government ask for the adoption of a more lenient measure, calculated largely to reduce the tax imposed

on the people, it is surely not the time, even were it correct and judicious, to assert that the people are not prepared to accept the benefit sought to be conferred upon them. Let the hon. member compare the two measures, that which is now proposed and that which was left to us by the late Administration, and he will see that section for section, law for law, that which is now proposed is by far the least severe; it will be more easily put in force, and will be more efficient. The people are prepared for it, and will receive it with the greater satisfaction, and with the more gratitude, because they have so long suffered from the many inconveniences and from the heavy taxation which the former measure entailed. I think that I have replied to all the objections which have been timidly urged in this House. One, however, still remains, but cannot, for a moment, hold its ground before the facts, and would certainly be without any value had it not been advanced for the second time by the hon. member for Quebec East (Mr. Laurier). That hon. gentleman maintains, in substance, that the Canadian soil is not favourable to the growth of tobacco; that it is an exhausting product, the growth of which ought not to be encouraged. I at once admit that tobacco, like most aromatic plants, like textile plants, is an exhausting crop, the cultivation of which necessarily impoverishes the soil which produces it. But is that an objection to its cultivation? Certainly not. If, in this country, only enriching plants were to be cultivated, cereals would not be grown, and our soil would refuse to produce those plants and that grain, which are now articles of daily consumption. And does not manure furnish us with the means of restoring the loss caused to the land by the growing of exhausting crops? And if the farmer chooses to turn his attention to the growing of this plant, let us leave him at liberty to do so; it is his right, and, perhaps, despite the hon. member's objection, he may find it advantageous. For all these reasons, whatever may be the point of view from which it is regarded, I think it is our duty to approve of the proposed legislation, and to support the laudable effort which the Government is making to improve the position of the farmer, and, at the same time, to secure for the public revenue a

more simple and a more efficient mode of collecting the moneys which the growing of tobacco yields to it. I do not speak on behalf of the Province of Quebec in particular; I cannot assume the dictatorial tone which the hon. member for L'Islet endeavours to adopt whenever he claims to speak in the name of his beloved Province, or at least in the name of the Liberal fraction from Quebec, but addressing this honorable House call upon members, from whatever Province they may come, to adopt a plan of legislation which diminishes the tax imposed on the growth of Canadian tobacco, which will promote the cultivation of that plant, and will secure to the revenue greater returns, an enactment which should receive the hearty and sincere support of all those who claim to be the friends of their country.

MR. BABY: The hon. member for Jacques Cartier (Mr. Girouard) is afraid that the license required to be taken out by parties who cultivate tobacco for sale will hamper the growth of Canadian tobacco. I think my hon. friend is under a misapprehension. The tax is altogether done away with on the Canadian leaf, That being taken off, we must necessarily have some other means of controlling the cultivation of tobacco, otherwise the law will be a dead letter. But under the new arrangement it is hoped to prevent the fraudulent dealer from carrying on the business to the detriment of the honest dealer and the honest farmer. Why do the farmers require this change? Because they are willing to pay the tax, and say, "We know it must come from some source or other, and we are willing to pay it if we are protected from dishonest dealers who do not pay it." If the practices suggested were followed by the Department, we would require an army of officials, and what would be the use of collecting duties if the aggregate amount is to be expended for the payment of the salaries of officials. With regard to the remarks of the hon. member for Essex, I would state that while the manufacturer takes out a license for tobacco coming from foreign ports, he can mix it with tobacco grown in Canada, but if he wishes to employ Canadian leaf alone he requires a separate license.

Bill read the second time.

MR. LANDRY.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee)

MR. GIROUARD moved in amendment "that the grower of tobacco should not be required to take out a license."

MR. BABY: I cannot consent to that amendment, which would defeat one of the objects of the Bill.

Amendment *negatived*.

On the suggestion of Mr. LAURIER,

MR. BABY made an amendment to clause 10, providing for the issue of licenses to growers of tobacco, by other officers besides officers of the Excise.

Progress *ordered* to be reported.

House *resumed*.

(In the House.)

Progress *reported*.

House adjourned at

Ten minutes before

Twelve o'clock.

## HOUSE OF COMMONS.

Friday, 2nd April, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

### BILL INTRODUCED.

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

Bill (No. 89) To provide for the equitable distribution of the estates of defaulting debtors.—(Mr. Wallace, South Norfolk.)

### SUPPLY.

#### IV. ADMINISTRATION OF JUSTICE.

Order for the House to again resolve itself into Committee of Supply, *read*.

MR. RYKERT: Before you, Mr. Speaker, leave the chair, I would like to make an explanation, in connection with a personal matter referred to in the speech of the hon. member for West Middlesex, during the debate on the Budget, and in reply to a speech which I made a few days ago. I do not desire to occupy much of the time of the House, and I would very much have preferred to let his remarks pass for what they were worth, knowing the spirit of revenge which that hon. member and his friends always exhibit towards me; but when I find his statements and remarks, which I know to be untruthful, published in the official record of the *Debates* of this House, I feel

that I ought not to permit them to go uncontradicted to the country. In justice to myself, and to those who send me here, I think I should give the true version of the facts in connection with that matter, in order that the antidote may accompany the poison. The attack made upon me was entirely unprovoked, as every hon. gentleman in this House must have seen; for there was nothing in my speech, from beginning to end, which could be construed into a personal attack upon those to whom I was replying. It was read by the hon. member for West Middlesex, during the debate, that I was guilty of acts of immorality, of a political character, and that I had been censured, therefore, by a Committee of the Legislature of Ontario. Let me explain as briefly as possible the facts, and then I will be content to leave the House and country to judge whether or not I am liable to the imputation cast upon me by the hon. member for West Middlesex. In 1874, a public meeting was called in Wallacetown, county of Elgin, by Hon. Archibald McKellar and Mr. Thomas Hodgins, in the interest of the Government of Ontario, to discuss public questions in connection with the administrative acts of that Government. I felt it to be my duty, as an opponent of that Government, and as one who had publicly arraigned the members of it for their extravagance, to appear at that meeting, and discuss political matters with them. Instead of meeting the arguments which I advanced in opposition to the policy of the Government as they should have done, the Hon. Archibald McKellar, a member of that Government, poured upon me personal abuse, and charged me with having sold my political services. This unwarrantable attack was justly resented by the intelligent electors then assembled, although the great majority was not in political accord with me; but that spirit of fair play which usually characterises the Canadian people, compelled my opponents to permit me to make a personal explanation, promising, at a future time, to furnish evidence of the untruthfulness of the charges. The statement made at that meeting by Mr. McKellar, was as follows:—

“When the Canada Southern Railway came before the House asking for incorporation, for two weeks Mr. Rykert opposed the Bill in

the most determined manner. He then suddenly wheeled round, and gave it an equally strong support. You will be somewhat interested to know the cause of so sudden and so complete a change. (Hear, hear.) Well, I will tell you the true cause. When the promoters of the road asked him to use his vote and influence in their favour, he said, ‘Four thousand dollars is my price, hand over your money.’ (Cries of shame on him.) I challenge him to bring this matter before a Committee of the House, or before a Court of Law, and clear himself if he can. But I have not done with him yet. Two years afterwards the promoters of the same road asked the House for certain amendments in their charter, allowing them to reduce the gauge and giving them the right to construct the St. Clair Branch. But Mr. R. is now found opposing with all his might the amendments asked by the Company, and I will tell you why. The Great Western were of course using every endeavour to kill off the Canada Southern, and they had offered, and my little friend accepted the offer of a cash bonus of \$5,000, as a price of his opposition to the Canada Southern, and of his support to the Loop line.”

That was a charge of which I was not guilty, and should not lie under. I at once challenged that gentleman to meet me on a public platform in St. Thomas, in the same county, and make good the charges made against me. I subsequently fixed a day for the meeting, and invited the whole of the members of the Ontario Government to meet me and discuss Ontario politics, and at the same time to make good Mr. McKellar’s charges. At that meeting Mr. McKellar alone appeared in behalf of his colleagues. After freely discussing the administrative acts of the Government, I called upon Mr. McKellar to make good the charges he had made, and if he had any evidence to produce it to the meeting. Instead of doing so, he poured forth a volume of personal abuse, which was speedily checked by the people thus assembled, and which resulted in his being obliged to leave the meeting amid the jeers of the crowd. I then produced my evidence of the untruthfulness of the charge. The first evidence which I offered, was a letter written by Æmilius Irving, Esq., Reform M.P., for the city of Hamilton, the solicitor for the Great Western Railway, and a gentleman whose word will be taken at all times. His letter was as follows:—

“HAMILTON, 14th July, ’74.

*J. C. Rykert, Esq., St. Catharines.*

“DEAR SIR,—I have your letter of yesterday enquiring whether certain statements made recently at a meeting held at Wallacetown, in

reference to yourself, as contained in the annexed writing, is true in any particular.

"I believe the statement to be untrue in all matters which affect your conduct in unworthy terms.

"In 1867 you sustained the Canada Southern Railway in obtaining a charter under the name of the Erie and Niagara Extension.

"In 1869 the Canada Southern party, not by that time having done anything, as far as could be seen by the public, sought for an extension of time to commence operations.

"At the same time the G. W. Railway was trying to obtain a charter for the Air Line.

"Many persons doubted Mr. W. A. Thompson's ability to build the Canada Southern, and believed that if the Great Western got a charter a line of railway would be built immediately; and that the Canada Southern, having hitherto failed, the Great Western should have a chance.

"It was a case of competition between the two parties, you espoused the side of the Great Western, doubting, as you asserted, if the other line could be built.

"The suggestion that you were paid for your Parliamentary influence in behalf of and by the Great Western Company, either \$5,000, or any other sum, is simply untrue.

"I remain, dear Sir,

"Yours truly,

"ÆMILIUS IRVING."

I also produced a letter signed by Joseph Price, Esq., Treasurer of the Great Western Railway, a gentleman who is well known to many hon. gentlemen of this House, and who would be incapable of stating anything which was not strictly correct. That letter read as follows:—

"August 6th, 1874.

"J. C. Rykert, Esq., M.P.P., St. Catharines.

"MY DEAR SIR,—Your favour of 13th ult. has been forwarded to me here referring to the charges made against you in the following words \* \* \*

"I do not know who makes such a charge against you, but there is not the slightest grounds for such a statement. No inducement of any kind, either directly or indirectly, was ever held out to you to induce you to take charge of the Loop Line Bill and oppose the Southern Bill, and you never stated or intimated in any way that you would require any remuneration from the Company. The intimation that you were paid for your Parliamentary influence in favour of the Loop Line has no foundation whatever, and can only be characterised in the simple expression that it is utterly untrue.

"Yours very truly,

"JOSEPH PRICE."

I also produced a letter from W. A. Thomson, Esq., M.P., denying, in the most positive terms, that I had opposed his Bill when first introduced, and repudiating the idea that I had ever, directly

or indirectly, asked for or been offered anything for my services in connection with his Bill. Immediately after the opening of the Ontario Legislature I formulated a resolution referring the matter to a Committee of the House. Mr. McKellar, who by that time had ascertained that he had no evidence whatever to support his charge, formulated other charges, as follows:—

"2. That M. Rykert, in 1870-71-72-73 did accept and receive from persons opposing the Ontario Street Railway Company \$150 or thereabouts, in order to induce him in his place, and otherwise as a member of this House to oppose, and he was thereby induced to oppose it.

"3. That he did accept \$100 from the Montreal Insurance Companies in order to induce him to support, and he was thereby induced to support the said companies.

"4. That he did accept \$150 from E. D. Tilson in order to induce him to vote for an Act of Incorporation."

That Committee met, and in support of the original charge, namely, that I had originally opposed the Canada Southern Railway Bill, and for a consideration of \$4,000 turned round and supported the same, the evidence of W. A. Thomson, Esq., (Grit M.P. for Welland) was taken. At page 171 of the *Journal*, will be found the following:—

"W. A. Thomson, sworn—I was never told of any offer to Mr. Rykert for his support; there never was one made by the Canada Southern to Mr. Rykert. \* \* \* At the first Session, Mr. Rykert supported my scheme: he never opposed it in the first Session. I never had any such conversation as is mentioned in the charge before the Committee. I never promised Mr. Rykert \$4,000, or even \$4 to any person. Neither before nor during the Session of 1867 and 1868 did I offer Mr. Rykert, or any person for him, any consideration for supporting the Bill, nor did Mr. Rykert, or any one for him, ask for, or require such consideration, nor did I make any such statement to Mr. McKellar."

This charge having hopelessly broken down, the Committee proceeded to investigate the second charge, namely, that the Great Western Railway had offered my little friend (meaning me) the offer of a cash bonus of \$5,000, as the price of his opposition to the Canada Southern and his support to the Loop Line. In support of this, Æmilius Irving, M.P., Solicitor for the Great Western Railway, was sworn:

"Q. Read the letter written by you to Mr. Rykert and see whether it expresses your own knowledge and feeling now as it did then?

"A. It does."

MR. RYKERT.

This charge having broken down and Mr. McKellar standing convicted as a public slanderer, it was necessary, in the interest of the Grit party, to push the matter further. During the investigation it came out in evidence that I had been paid \$1,000 for my professional services in connection with the Great Western Railway Company. These opponents of mine were so keen to find some charge with which they could drive me from the Legislature, if possible, that they at once accused me of having received the sum of \$1,000 for my Parliamentary services. In support of this new charge, which it will be seen had not been referred to the Committee, they called Mr. Price. The following questions were asked him:—

“Q. Then this money was given to Mr. Irving, I understand, for the purpose of being paid Mr. Rykert, for services performed by him?”

“A. General services in the interests of the Company.

“Q. When had he rendered these services?”

“A. He had rendered services in reference to the removal of the embargo on importation of cattle; our live stock transportation was stopped, and he obtained the renewal of the order. The loss to the Great Western Railway was \$3,000 to \$10,000 a week while it lasted. Mr. Rykert specially went to Ottawa. The embargo was on four weeks and ordered to remain until October, and he got it removed in August. It would have been a loss of \$50,000.

“Q. Have you any reason to believe that the \$1,000 was paid for opposing Thomson's Bill?”

“A. It was given for services before that time.”

That evidence which relates to the first charge reported in the *Debates*, as to my receiving \$1,000 for my Parliamentary services, will satisfy any reasonable man that the charge utterly failed like the others. With regard to the next charge that I had been paid money by the Street Railway Company, one of the proprietors of the Street Railway swore positively he had paid me \$100 as solicitor, for services rendered by me in the City Council, in Toronto, and not for Parliamentary services. During that examination, it came out that the Hon. Rupert M. Wells, Speaker of the Legislative Assembly of Ontario, who had charge of the Bill for the Company, was paid for his Parliamentary services \$50. I asked the Committee to report that fact, but they refused to do so. In addition to the evidence of the proprietors of the Street Railway, that of the Solicitor, Mr.

Ferguson, was taken, who, being sworn, was asked:

“Q. (Mr. Rykert). Did you learn, or even draw an inference, that my Parliamentary influence could be used?”

“A. Certainly not, that is not the reason why I retained you. You told me that the matter should be taken before the City Council, and you undertook to help me there. I know that you did interest yourself at the Council. I consulted you, night after night, and you always advised me to legislate in the City Council. I sent you a brief to St. Catharines, and told you that Patterson was working with City Council. You communicated to me, from time to time, the result of your action in the City Council. I did not employ you to act in the Legislature.”

Yet on the face of this positive evidence to the contrary, this fair and impartial Committee of the House reported that I had been paid the money for my Parliamentary services. The next charge, that I had received \$100 from the Mutual Insurance Company, hopelessly failed. They were obliged to abandon that charge, but during the investigation it came out in evidence that Hon. E. B. Wood, M.P.P., had received \$150 for his Parliamentary services in connection with this Insurance Bill, which fact, however, the Committee failed to report. The other charge was, that I had received \$100 to induce me to vote for, and whereby I was induced to vote for, the incorporation of the town of Tilsonburg. During that investigation, the promoter of the Bill swore that I was not paid for my Parliamentary services, but that he paid me for professional services rendered outside of Parliament altogether. In the course of that investigation, it came out that a certain gentleman (Mr. Cattnach), a partner of the Hon. Adam Crooks, M.P.P., Chairman of that Committee, received \$250 for his services in the House, in connection with this Bill, yet the Committee did not report that fact, because they did not think it right that the partner of their friends should be prevented from receiving fees from persons promoting Bills in Parliament. The minority of the Committee reported that they found “that no evidence had been adduced before them to substantiate the charges contained in the said order or any or either of them;” but that portion of the report, that fair and impartial member for Middlesex failed to read to the House, and, as a consequence, does not appear in the *Hansard*. Any person who possessed a particle of

honour, or desired fair play would have read that portion of the report, and in fairness to me, would have concealed nothing. The *Globe*, of December, 1874, which I have in my hand, in its editorial on this subject, uses language which entirely corroborates the report of the minority of the Committee; and coming from that source, hon. gentlemen will be inclined to think I am justified in saying that the charges were completely and satisfactorily met by me. The following is an extract from that paper:—

“We may as well, at the outset, do Mr. Rykert the justice of saying that there is, so far, no direct evidence that he altered his line of conduct in consequence of the moneys paid him. In one instance, the inferences are unfavourable to Mr. Rykert, but in the other cases, he appears to have only acted when he had received or been promised money in accordance with opinions previously formed.”

It is a most extraordinary circumstance that, in the same Legislature, a motion was made by Mr. Macdonald, seconded by Mr. Gifford, in the following terms:—

“That it is inexpedient that any member of this House should be permitted to engage, either by himself or any partner, in the management of Private Bills before the House, or any Committee thereof, for any pecuniary reward to be received by such member, or by any person standing in any relation of legal professional partnership with him.”

Now, one would suppose that these gentlemen, who had pursued me with such bitterness, would have voted in favour of the resolution, having evinced such a strong anxiety to uphold the independence of Parliament, by following me so keenly. But no, they put up Hon. E. B. Wood, who had so often taken fees for Parliamentary services, to move an amendment, striking out all after the word “expedient” in the Resolution and in inserting the following:—

“That such members of the House, as are of the long robe, shall be of counsel on either side on any Bill depending before the House.”

The effect of this was to let the partner of any member take fees, but not the member himself. All the Grit members voted in favour of the amendment. They were willing to allow a partner of the Chairman of a Committee of the House to receive fees, for promoting legislation in the House, but they would not allow an individual member of the House. I have the satisfaction of knowing that,

MR. RYKERT.

notwithstanding that partisan report against me, and notwithstanding the fact that the Hon. J. G. Currie, the Chairman of that Committee, went about my county parading the Great Western Railway cheque. I met my constituents shortly afterwards, and defeated one of the richest and strongest men in Lincoln, and that, too, in spite of the united efforts of the Ontario Government. Not satisfied with their unjust attack in the Legislature, my enemies followed me for three years, with unrelenting bitterness and hatred, in a Court of Law, determined to drive me out of the Ontario Legislature, if possible. In this, however, they most signally failed; and I have also the satisfaction of knowing that while that suit was pending, and while I still held my seat as a member of the Ontario Legislature, I was returned for this House at the General Elections, against another rich and powerful opponent, by an overwhelming majority. I think it will be admitted, by all fair and candid men, that I have no reason to feel ashamed of my record in the Ontario Legislature, especially when it is borne in mind that the people who ought to know me best have given me their confidence so often, in spite of the charges made against me. I know the party opposite have endeavoured for years to weaken my influence in, and, if possible, to drive me out of the Niagara Peninsula, where they have felt the effects of my labours in behalf of the Liberal-Conservative party. So far, they have signally failed. One after the other of the strong men of their party has been pitted against me, and each one has, in his turn, been compelled to succumb. And I have had the satisfaction of seeing the chairman of that partisan Committee, who was so anxious for the independence of Parliament, degraded and driven from the profession as one unworthy of a place among honourable men. I know that the party opposite contains men who are distinguished for their desire to wallow in political filth—men whose greatest ambition is to play the part of political scavengers and dirt-slingers—men whose only ambition and desire is to destroy the reputation of all public men who do not agree with them—men who are not possessed of that political honour and love of fair play which tends so much to elevate the standard of political morality

—men who, when argument fails them, seek to encompass the ruin of their opponents by doing that which every honourable man seeks to avoid, and men who, for personal and party gain, will sacrifice every principle which an honest politician holds dear. I know of no man in that party who possesses all these characteristics and qualities in a more eminent degree than the hon. member for West Middlesex (Mr. Ross). I trust that while I remain in this House, I shall never forget my duty as a representative of the people, and that I will never so lower the dignity of Parliament as to be compelled to meet argument by foul abuse. So long as I know that, as a public man, I am backed and endorsed by the people who send me here, I have no fear whatever of the result of the attacks upon me. I apologise to the House for having trespassed upon their time. I felt it to be my duty as a representative of the people to make this explanation, because I found in the *Debates* certain statements which I know to be untrue, which were deliberately and maliciously published by a member who, himself, knew them to be untrue, and which, if allowed to go uncontradicted, would reflect seriously upon my position as member for the county of Lincoln.

Mr. ROSS (West Middlesex): I am glad to hear my hon. friend from Lincoln (Mr. Rykert) tell us that he is going to eschew all personal references while a member of this House. If my hon. friend, when he made his remarks the other night, to which I replied, had taken that course, it would have saved me the trouble, and, I may say, the pain, of exposing the hon. gentleman, whose speech consisted, from beginning to end, of reference of a personal character to hon. members of this House. My hon. friend has a reputation in the Province of Ontario which is not enviable. He has a reputation as a member of the Local Legislature for personal virulence and a disposition to discuss everything from a personal, rather than a political, standpoint. That, I believe, has followed him into this House, that, I fear, will follow him to the end of his days. In fact, the illustration he gave us of that disposition, the other night, is, perhaps, as conclusive evidence as I can give that he is disposed to follow the same course as that in which he won distinction

some time ago. The reply I made to my hon. friend was not tinged with any personal bitterness, so far as I was concerned—at least I did not intend it should be. However, I do not propose to take a word back, to withdraw a single statement, unless my hon. friend can secure, by some means I do not understand, the expurgation from the journals of the Province of Ontario of the charges which I read. I tell my hon. friend that the Committee to which he referred was an impartial Committee. Not only did the majority find him guilty of the charges alleged by Mr. McKellar and others, but the minority of that Committee seemed to be strongly impressed with the same fact. The opening words of the report of the minority are as follows:—"They find that the said J. C. Rykert, while a member of your honourable House, received, or was paid, the following sums of money by persons who were, or had been, concerned in seeking or opposing legislation before your honourable House, or the Committee thereof." Then they went on to state the amounts of money which the hon. gentleman was paid, and which were as follows: \$1,000 by the Great Western Railway Company; \$150 by the Toronto Street Railway Company, and \$100 by one Edward D. Tilson, of Tilsonburg, and so on, and, as if to give colour to the spurious character of these payments, the Committee concludes:

"Your Committee further beg leave to report that, in their opinion, the practice of permitting payments to or receipts by any member of your honourable House, of any sum of money or any other consideration for professional services performed in connection with or with reference to any legislation under the consideration of your honourable House, is calculated to seriously impair the independence of Parliament, and should be prohibited by legislation or other enactments."

I ask why did that minority report contain the statement that the independence of Parliament should be specially protected in connection with this investigation, if they did not feel that the independence of Parliament was being encroached upon by the money which the hon. gentleman received. And they went on further to say:

"Your Committee desire to express their unqualified disapprobation of the practice of members of your honourable House, under any



consideration, accepting or receiving any valuable consideration or sum of money in acknowledgment of assistance previously rendered in connection with private or other legislation before your honourable House or any of the Committees thereof."

Here we have, in the concluding sentence of the report of that Committee, a most unqualified condemnation of the course which the hon. gentleman pursued, a condemnation which stands on record, which no amount of apologies on his part will ever expunge from the memories of the members of the Legislative Assembly of Ontario, or from the journals of that body. Amongst the distinguished personages who signed that report were Messrs. M. C. Cameron and W. Meredith, two leaders of the hon. gentleman, making an unqualified statement to the effect that the course pursued was one which met with their unqualified disapprobation. I think the less my hon. friend says about these matters the better. So far as I am concerned, I would be delighted if my hon. friend could explain it away. I could give him a good deal more to explain away. I think there is a good deal more of the same material embodied in the reports of the Law Courts of Ontario.

SIR JOHN A. MACDONALD: I really must rise to order. It is only by the courtesy of the House that the hon. gentleman is allowed to speak at all. At this moment he is committing a breach of order in answering a personal explanation made by hon. an gentleman.

MR. MACKENZIE: What is the breach of order?

SIR JOHN A. MACDONALD: I am speaking.

MR. MACKENZIE: I rise to order. The right hon. gentleman interrupted an hon. member while addressing the House on a motion to go into Committee of Supply. I want to know what the point of order is, and what right he had to interrupt the hon. member for Middlesex.

SIR JOHN A. MACDONALD: If the hon. gentleman had not been so very violent, and in so great a hurry, I should have given the information desired. This is not a subject which can be legitimately discussed on going into Supply. My hon. friend was making an explanation, justly called for by the remarks made by the hon. gentleman. The speech made by the hon. gentleman, the other night, was

inexcusable. My hon. friend has made his defence, and instead of allowing it to go at that, the hon. gentleman rises and speaks about some charges brought against the hon. gentleman in the Law Reports of Ontario. The course is unparliamentary and unworthy of the hon. gentleman as a member of Parliament and a man.

MR. ROSS, (West Middlesex): I had about finished my remarks, when I was interrupted by the hon. the First Minister. I do not know that the interruption is at all necessary. I am glad to find he is so warm in espousing the cause of hon. gentlemen on that side of the House. I wish he was as ready to defend members on this side of the House. I had finished my remarks, and I have nothing to withdraw or explain away.

MR. BOULTBEE: I was in the Local House with the hon. member for Lincoln when these transactions were alleged to have taken place. I should feel glad, and I am sure the House would feel glad, if they could believe implicitly the utterances of the hon. member for West Middlesex. He said he would be glad if he could completely absolve the hon. member for Lincoln from the charges made against him. But we must be led to doubt whether he was honest in that expression, because he went on to throw out some rather nasty insinuations against him, insinuations which I think one man should not make against another, and one hon. member of this House should not make against another. It scarcely showed a kindly and charitable feeling on the part of the hon. member for Middlesex. The hon. gentleman tells us that the minority report substantiates what he stated. I have reason to know that the feeling which animated the Hon. M. C. Cameron in making that report, was not so much in connection with what had been done by the hon. member for Lincoln, as it was with a practice that was prevailing extensively in the Ontario Legislature, that legislation was being promoted and passed by the partners of gentlemen in that House, and who were supposed to be, and, in fact, were known to be, receiving very large fees for their services, part of which went into the pockets of hon. gentlemen who were in the House, and their views were to stamp out that practice as much as possible. We have seen an instance in

the Local House of Ontario, in which the partner of the hon. the Prime Minister received a very large fee—a thousand dollars. I think it was for acting in a matter against the Government, in which the Attorney-General, his partner, acted on the other side, and sharing the fee. This was not thought, I believe, to be a very satisfactory way of doing business, and the less of it there is said, I suppose, the better. I simply rose to say that on the occasion when these charges were preferred against Mr. Rykert, he being a friend of my own from boyhood, I took a great deal of interest in the matter. I enquired into it carefully, and I may say that the charges were not supported by the evidence. I might further add that, while in the Local House, and I shall be borne out, I think, in this, by many hon. members of both sides of politics, there was scarcely a private member more useful, more industrious, or more valuable to the House and country than the present hon. member for Lincoln, who just made these explanations. He is a man of indefatigable industry, and worked day and night to obtain a clear knowledge of matters which were of the very greatest importance to the country. His industry, his capacity for work, his energy, and his courage, have doubtlessly made him exceedingly valuable on many occasions to his party and it cannot be denied that this hon. gentleman, during the course of his political life, has been subjected to most unfair, virulent attacks on the part of the other party. He has suffered an amount of malignant persecution that would have broken down a man of less energy than he possesses. I must confess that I was much pained when I heard the attack of the hon. member for West Middlesex (Mr. Ross). I was much pained by it, as any man would naturally be, to find a man, sitting in the same House with himself, attacked in that way; and the hon. member rises to defend himself, because he feels what his constituents must feel, when they find him attacked in that manner, for any stigma fixed on him would attach to them. The history of a man is known best where he lives, by those with whom he associates; these are the men better able to judge of his position for honesty and integrity than the hon. member for

West Middlesex. His return by a triumphant majority of his constituents, is, in my opinion, the best and a complete refutation of the charges made against him, and is enough to strike away the foundation from beneath the hon. member for West Middlesex, when he rises in this House and makes those charges, and this, more especially, when we consider that his fortunes have been so impaired by the bitter personal and political persecution he has suffered at the hands of his opponents, that he was unable to contend financially with the means used against him, having nothing but his energy and popularity to rely on.

House again resolved itself into Committee of Supply.

(In the Committee.)

22 Miscellaneous, Justice, including North-West Territories .....	\$15,000.00
23 Travelling Expenses of Stipendiary Magistrates in North-West Territories .....	\$4,500.00

MR. BLAKE: I would like to know whether any rate has been fixed. The original idea was to fix an annual allowance for these travelling expenses of the Stipendiary Magistrates, and I would like to know what the present arrangements are.

MR. McDONALD (Pictou): In the instance of Mr. Richardson, an arrangement has been recently made by which his travelling expenses are fixed at \$800 a year, while actually engaged in the duties of magistrate.

MR. BLAKE: Then why not carry out that rate in reference to the other magistrate?

MR. McDONALD: It probably will be.

MR. BLAKE: Then for the two \$1,600 would be sufficient; but the vote being for \$4,500 is an unnecessary amount.

MR. McDONALD: Occasions may arise when a larger amount may be required. However, I do not know that there is any reason to strictly adhere to the vote.

MR. BLAKE: Experiment having shown that \$800 a year for each Magistrate for travelling expenses is sufficient, I think a vote of \$3,000 would be ample.

SIR JOHN A. MACDONALD: Although there are only two Stipendiary Magistrates, the law provides for three; and before Parliament rises, we may find it expedient to appoint the third.

MR. BLAKE: Then taking \$800 as a basis for one, three times \$800 would be \$2,400; therefore \$3,000 would be an ample vote for the three.

MR. McDONALD (Pictou): I think there would be objection to that.

Vote agreed to.

24 Circuit allowances, British Columbia .....\$10,000.00

MR. BLAKE: I may observe that my remarks on the previous vote apply to some extent to the present one. Judging from the results of the last two or three years, \$10,000 would be an inordinate sum. But that is not the only reason for reducing it. We have been economising; and the hon. member produced a calculation showing that there would be an additional expenditure of \$400 in this service, and that shortly there would be a saving in circuit allowances of \$2,600. I do not find that this saving has been effected, but I hope the hon. gentleman will reduce the expenditure to the sum I have named.

MR. McDONALD (Pictou): The Bill to which my hon. friend refers has not yet become law. It is, therefore, impossible that I should estimate the expenditures under that Bill. At any rate we have to ascertain whether the grounds upon which this item was based are well founded or not. I do not think it would be advisable to reduce the item under present circumstances. There has been a large increase in the population of the country, and we cannot anticipate the exact expenditure.

Vote agreed to.

25 Circuit Allowances, Manitoba....\$1,500 00  
 { Precise Writer of the Supreme Court of Canada and the Exchequer Court ..... 2,000 00  
 Clerk in the office of the Registrar of the Supreme Court of Canada and the Exchequer Court ..... 575 00  
 Senior Messenger of the Supreme Court of Canada and the Exchequer Court..... 500 00  
 26 Second Messenger of the Supreme Court of Canada and the Exchequer Court..... 360 00  
 Contingencies and Disbursements, including printing, binding and distributing Reports, Judges' travelling expenses; also salaries of Officers (Sheriff Usher, etc.), in the Supreme and Exchequer Courts of Canada, and \$150 for books of Judges..... 5,000 00

MR. BLAKE.

31 Sundry Disbursements connected with the Maritime Court of Ontario, Judges' travelling expenses, etc..... 500 00  
 32 Salary of Registrar of Vice-Admiralty Court, Quebec..... 666 66  
 33 Salary of Marshal of Vice-Admiralty Court, Quebec..... 333 34

V. POLICE.

34 Dominion Police.....\$13,000 00

MR. BLAKE: In 1877, when there still existed a branch of that organisation at Montreal, as well as at Ottawa, the expense was but \$9,883; in 1878, \$10,616; in 1879, \$11,112. It is now proposed to increase the vote from \$12,000 last year to \$13,000; so that you are running up the change to the figures of the old time, when the Montreal staff was kept up, without that staff to keep up.

MR. McDONALD (Pictou): The number of the men in the Police Force has not been increased, and I hope the additional \$1,000 asked for may not be spent. But last year a good deal of extra police work was called for in connection with Rideau Hall, more police protection being necessary while their Excellencies were travelling. I thought it better, instead of paying for such services out of Contingencies, to take a vote for an extra \$1,000, to spend only when it should be required. During the Art Exhibition, for example, two or three extra policemen had to be retained.

Vote agreed to.

VI. PENITENTIARIES.

35 Kingston.....\$136,211 50

In reply to Mr. BLAKE,

MR. McDONALD (Pictou) said the increase for maintenance was \$1,107 this year, being per capita, and representing a larger number of convicts than were maintained last year. There was an increase of \$9,500 on capital account, \$4,800 being granted at the request of the Warden of St. Vincent de Paul Penitentiary, who wanted a grist mill. A new pump and hydrant, with other water apparatus were also required, the whole to cost \$9,500.

MR. BLAKE said he knew that the Warden had wanted that grist-mill a long time, and even when he was Minister of Justice. But, with a sincere respect for the Warden's good intentions, he was unable to see that it would be judicious to put that mill into the institution, or would prove remunerative. It should be the object of the Government to economise as

much as possible in the management of those institutions, and to provide that class of employment which gave the maximum of labour at the least expense of machinery. It was well known that expensive and delicate machinery was not best suited to convict labour. He very much doubted whether this grist-mill would prove remunerative. It was not enough to say the Warden wants it; there should be a tangible statement as to the probability of profitable results, such as cheaper flour and so forth.

MR. McDONALD (Pictou) said he had in his hands a memorandum from Mr. Creighton on the subject, recommended by Mr. Moylan, Inspector of Penitentiaries, in which the Warden stated his grounds for requesting the grist-mill. The building in which the mill was to be set up was erected by convict labour. For the increased accommodation required in the prison, it was essential that new engines and pumping apparatus should be supplied. He stated that an expenditure of \$4,800 would not be large in view of the fact that he would thereby be enabled to grind all the flour wanted in that large institution, and thus save a considerable sum.

SIR RICHARD J. CARTWRIGHT: Are there any millers in the Penitentiary to work the mill?

MR. McDONALD (Pictou): I should think, from the variety of the handicrafts represented by the prisoners, there would be no difficulty in finding competent millers.

SIR RICHARD J. CARTWRIGHT: I doubt that. I believe you will have to employ outside help. It is a question if any of the convicts can be trusted at that work, or possess for it the requisite skill.

MR. BLAKE: The working expenses for 1880-81 amount to \$20,366.

MR. McDONALD (Pictou): I visited that institution lately, and the prisoners seemed to be constantly employed, and the institution appeared to be in most excellent order, and well conducted. I have a report from the Warden, indicating that he has not been able, so far, to find employment for those who are in the institution.

MR. MACKENZIE: I would like to know what the revenue has been, and the sources of that revenue, during the past year. I recollect that, in the Session of

1877-8, the hon. gentleman now at the head of the Government deprecated very strongly the competition of convict with free labour, and I have no doubt that the hon. gentleman has devised a plan to avoid all such competition, and to produce a revenue at the same time. I presume he would not have attacked the late Government on this account unless he was prepared when he came into office with some plan to avoid such competition. I called attention to this subject last year, but got no satisfaction. I presume it is now all made satisfactory, and the House would like to know what has been done in that direction.

MR. McDONALD: I see from the Public Accounts of last year that the receipts from the sale of manufactures in all the Penitentiaries were \$53,115. I have not the report of this year at hand, but, if the hon. gentleman thinks it necessary, I will make the enquiry.

MR. MACKENZIE: It is not possible that the present Government is allowing any competition of convict labour with the free labour?

MR. McDONALD: I do not know that we allow any such competition. We endeavour to employ those confined in these institutions, and the labourers, with the exception, perhaps, of a few broom-makers in St. John and Halifax, are all engaged upon public works. For instance, the tailors of Kingston are engaged in making the uniforms for the Mounted Police, and clothing for the Indians of the North-West, and for those prisoners who are in the other institutions; and the shoemakers are engaged in the same way. It is impossible for me now to state to what extent this has been done, but if desired I will have a statement made, showing exactly the amount sold in the open market, and the character of the goods so sold.

SIR RICHARD J. CARTWRIGHT: Perhaps the hon. member for Victoria (Sir John A. Macdonald) does not take the same interest in the question of free labour in Kingston as he did a year or two ago. However, I would say to the hon. the Minister of Justice that I would be glad if he would let us know what decision has been come to. I would also like to know what is being done with reference to the large amount of land which is now under cultivation, and how

the products of that land are value to the institution. I take it for granted that in this account is not included the quantity of farm produce raised on that farm by the convicts themselves. I would like to know how that is under the present management.

SIR JOHN A. MACDONALD: I would say that my interest in this question continues unabated, although, perhaps, I am not so intimately acquainted with the injurious effects of the convict labour in Kingston as I was some years ago; but I am bound, as a member of the Legislature, still to represent that portion of the Dominion.

MR. MACKENZIE: That is the Penitentiary.

SIR JOHN A. MACDONALD: I can represent the Penitentiary just as well as I ever did. I have the same interest also in the surrounding country. I have a joint interest with the hon. member for Centre Huron (Sir Richard J. Cartwright) in the county of Lennox, which is not far from the city of Kingston, and the manufacturers there, and the tradesmen who have been injuriously affected by the competition of convict labour with them in the open market. But, seriously, I agree with all that has been said about the importance of avoiding as much as possible the competition of the products of convict labour in the open market with the work of the honest artisan. That has been clearly stated in the annual reports, both in England and Ireland, in the employment of convict labour. In accordance with that view, the convicts in our Penitentiaries have been employed as far as possible in the performance of strictly Government works, in making clothing for themselves and for other prisoners, and for the Mounted Police, and similar work. It seems to me that this open competition should be avoided as much as possible. It is a special injury to the artisan in the immediate vicinity of any prison or Penitentiary. It greatly disturbs the labour market, and renders the position of the artisan and small retailer and manufacturer in the vicinity of prisons and Penitentiaries, very hazardous. I agree with the hon. gentleman opposite in the importance of doing away as fast as possible with the con-

tract system. It interferes with the labour and with one of the chief objects of imprisonment, the reformation of the convict. There is no way of checking or controlling them, so long as they are under a contractor, whose business it is to get work out of them.

MR. McDONALD: With reference to the question of the hon. member for Centre Huron, I would state that the proceeds of the farm in connection with the Penitentiary are estimated by the Warden in his report, as I am instructed, and the goods manufactured in the Penitentiary, and sold outside, are put to the credit of the Receiver-General and appear in the account.

SIR RICHARD J. CARTWRIGHT: Are these farm products part of the \$34,000, which appears on the other side of the account?

MR. McDONALD: That I cannot tell just now, but I am informed they are not. The reports which I hold in my hand show the quantity of the work done at the Kingston Penitentiary.

MR. BLAKE: I think it would be extremely convenient that the arrangement of the Penitentiary accounts should be such that the receipts from the land which is worked in connection with the Penitentiary and the working expenses of that land should be kept separate. It is easy to effect an apparent reduction in the cost of maintaining the prisoners if you obtain a large acreage of land adjoining the Penitentiary, the expenses of working which are put in amongst the general expenses, and the returns for which do not appear anywhere, and are, of course, all consumed in the Penitentiary itself. The practical result is that the actual cost of the land and the annual cash disbursements for labour, animals, superintendence, etc., are items which must be set against the returns and increase the cost of maintenance. There may be a reason in this. While the cost of maintenance at Kingston looks lower than it does at some other Penitentiaries, in point of fact a fair comparison may show it to be not any lower, if there were a separate working account showing all the cash expended upon it. I ask the hon. gentleman, what were the general details of this item of \$20,366, working expenses. I wish to say, with reference to the statement of the hon. the First Minister, that

that I did not myself announce, when I held the position of Minister of Justice, that I had made arrangements for the supply of work to the Public Departments, in order to avoid competition with free labour. In truth, I could not have properly said that, because I could not get any other employment for them than that which I did get, and I was really unable to observe how free labour was any less interfered with when it was deprived of profits which it would have had by working for a Government, than it would have been if it had been deprived of the profits which it would have had in working for another person. It did appear to me that, if there were provided by the convicts a certain number of semaphores for the Canadian Pacific Railway, which otherwise would have been manufactured by machinists, a certain number of boots or shoes, which otherwise would have been provided for by shoemakers, a certain quantity of clothing, which otherwise would have been contracted for by tailors, I was interfering with the sum total of labour required by the country just as much as if it had been Mr. A. or Mr. B. who had employed the convicts to do the same labour. Again, in getting stone for the Military College, and Public Works, I do not think it was wrong to do those things, and I fail to see how the stonemasons of Kingston were less injured by that stone having been got by the convicts than if it had been used in the erection of a mansion for yourself, Mr. Chairman, in the city of Kingston. I agree with a great deal the hon. gentleman said with reference to the contract system. I think these institutions ought to be made self-sustaining. The gross expense is enormous, and something ought to be done in the way of reducing the maintenance or increasing the production in these institutions. I agree that there are great evils in the contract system, and I would be delighted if any other mode could be adopted for utilising convict labour than the contract system. When I left office, there was no contract in the Penitentiary at all. We had made efforts to continue some of the old contracts, but unsuccessfully. There was a certain amount of machinery which had been used in a former lock contract. That machinery and ma-

terial were left upon our hands. I was not aware that, during the time of the late Government, and subsequently, any new contract had been made for the use of that machinery, but I am told now that a contract exists for the use of that machinery, and that large quantities of nails and locks are being turned out. I should like to know, as a matter of fact, whether there is such a contract, what rate is paid for the convict labour, and what price is being paid the contractor for the locks.

MR. McDONALD: I understand there is practically a contract, inasmuch as the same person is still working there in the manufacture of locks, but it is only on sufferance, as it were. I cannot give details of the information the hon. gentleman desires, but I will have a report of it furnished as we go through the Estimates.

SIR RICHARD J. CARTWRIGHT: I would like to ask the hon. the Minister of Justice whether I am correct in supposing that this item of \$20,366, for working expenses, should practically be deducted from the \$34,000. As it is stated here, it would appear to me that the receipts are really put at \$34,000.

MR. McDONALD: The hon. gentleman will see that the maintenance is put down at \$57,396, and working expenses at \$20,366. And then there are retiring gratuities, and everything that is not charged to capital account goes to give the aggregate expenses of the institution. Then the \$34,000, or the amount shown as received from all sources deducted from that would give the real cost of the institution during the year. I hope to get passed an Act authorising the appointment of an accountant for these institutions. For various reasons I was not able to insist upon the reform which I was last year authorised to make by the appointment of an accountant, but I propose to do so at once, and the result of that will be, I hope, to enable me so to improve the manner in which the accounts are kept in all these institutions as to put in a much more convenient form all the information which I think should be given.

MR. ANGLIN: It seems to me we ought to have these accounts furnished much more in detail than they are at present, and I trust these details will be laid

before the House before we are asked to concur in this particular vote. Hon. gentlemen opposite, two or three years ago, strongly denounced the Government of the day because they allowed the products of Penitentiary labour to come into competition with the free labour of the country, but they have been unable to devise any means of carrying out the principles they endeavoured to inculcate in the long and earnest speeches delivered in this House and elsewhere. We find they acknowledge they are following in precisely the same footsteps, in this respect, as their predecessors. Hon. gentlemen insisted that means could be found, and would be found, if they were in office, of preventing convict labour from coming into competition with free labour, but nothing has been done by them in that direction. I must confess I was quite surprised to find that celery entered into the ordinary diet of Penitentiary convicts. Celery is regarded as a luxury, and there are, probably, many honest persons who do not taste it from one year's end to another. I do not suppose, however, that celery is given to the convicts. It is grown for the officers of the institution, but it ought not to appear in the Public Accounts at such an enormous price. I would suggest, with reference to the grist-mill, in all humility, that the hon. gentleman should carry out the principle adopted in reference to the Tariff, of consulting business men in regard to the establishment of that mill. If he did, I think he would find there is no money to be saved by putting up a grist-mill, to grind the small quantity of flour used by these convicts. The labour of the convicts should be employed in grinding the grain required for the institution.

MR. CASGRAIN: The item of \$10,000 for the construction of a grist-mill is rather a heavy one, and if it is added to that sum 7 per cent. interest and the loss by wear and tear to the grinding machine, it will be seen that the cost of the bread will be rather too heavy. The convicts, at a comparatively trivial cost, could be made to grind the wheat for their own bread, and it would be found that a limited speculation of this character would be the most profitable.

MR. MILLS: We all remember very distinctly how hon. gentlemen opposite

deplored the management of these institutions under their predecessors. We also remember very distinctly the arguments of hon. gentlemen against bringing convict labour into competition with free labour. They told us the system then in vogue was all wrong, and that, if they changed places, there would be no difficulty in discovering a solution of the evil complained of. The hon. gentlemen have been in office now nearly two years, and, instead of having found any remedy for the evil, they have actually reproduced it in a more aggravated form. It is proposed to establish a mill, in which the convicts shall be compelled to grind their own flour. But, Sir, if this institution is to be efficient, it must be self-supporting, and, if the convicts are to be efficiently employed, it must be in the production of things that can be sold in the open market outside, and in those trades and callings which will be of practical utility to the convicts when they are set at liberty. I say that, instead of seeking to mislead the public, and make the people dissatisfied with the way in which the persons in the Penitentiaries are employed, the hon. gentleman ought to admit his position to be indefensible. It is of great importance that persons in Penitentiaries should be efficiently employed, and that they should, in a large degree, be made self-supporting.

MR. CURRIER: I have no doubt it is, or ought to be, the study of the Government to reduce the expense of keeping our convicts to the lowest possible figure. I doubt if the construction of this grist-mill will tend in that direction. I know something about mills, and I do not think it would be a good investment, merely for the purpose of grinding the wheat to feed the prisoners. As hon. gentlemen will see, the difference between the price of wheat and the price of flour is very small, and it might require a large number of convicts to be employed on it.

MR. MACKENZIE: You might have to employ a miller.

MR. CURRIER: So that the construction of that mill will not tend to reduce the expenses *per capita* of the prisoners. Besides, \$10,000 would be a sum quite inadequate for the construction of a mill of that kind.

MR. BLAKE: The amount to be set apart for the mill is \$4,800 only.

MR. CURRIER: I do not see how they can build one for \$4,800.

Vote agreed to

36 St. Vincent de Paul.....\$81,800.02

MR. BLAKE: Will the hon. gentleman explain the items for maintenance and working expenses; there is an increase in both.

MR. McDONALD (Pictou): The increase in maintenance is partly due to the increase of population from 325 last year to 400 this year. It was ascertained that the amount *per capita* (\$76) was not sufficient to cover the actual expenditure; and we now estimate the cost at \$81 *per capita* or an increase of \$5. The \$2,000 increase in the working expenses is owing to the fact that last year there was a considerable stock of hay and straw on hand and it was expected that the farm would produce the rest. This year there will be no stock on hand and the farm does not produce sufficient.

MR. BLAKE: The increase in maintenance is practically \$7 a head. The amount per head in Kingston Penitentiary was \$74, and it was thought necessary to put on \$2 more per head for St. Vincent de Paul; and now another \$5 is added.

MR. McDONALD (Pictou): I can only explain it by saying that the cost of the necessaries of life is higher in the Province of Quebec. Everything is tendered for, and every effort is used to keep down the expenditure. It was formerly thought that the heavier expense in this respect was due to the fact of St. Vincent de Paul being out of the way; but that cause is to a certain extent removed by the railway now running in that locality. The fact of the matter is that the scale of prices appear to be greater. There is every desire to economise, but the practical result is as has been stated.

MR. BLAKE: As the railroad has removed the cause to which I, when in office, attributed the extra cost of maintenance of St. Vincent de Paul Penitentiary, there is no longer any reason for that extra cost, unless the members from Montreal will say that Montreal is a dearer place to live in than Kingston.

MR. GAULT: The cost of maintenance

ought to be much less at St. Vincent de Paul than it is at Kingston.

MR. WHITE (Cardwell): Not at all; nothing of the kind.

Some HON. MEMBERS: Order.

MR. GAULT: Groceries and meat, and provisions of every sort can be had cheaper at Montreal than at Kingston; and so can clothing; but I go further, I say that the expenditure in maintaining these institutions, as well as all branches of the Civil Service, should be reduced some 10 or 20 per cent. The men connected with these institutions are overpaid; they and their families get their provisions, and so forth, over and above salary.

MR. McDONALD (Pictou): Some of the higher officers may be paid too high a salary in some cases, perhaps, but the keepers and others of that class of servants do not receive more than is required to secure efficient men. Another cause of increased expenditure in St. Vincent de Paul is that there are a larger number of male prisoners than at Kingston, engaged in manual labour, thus resulting in a larger consumption of food and clothing than those engaged in sedentary occupations, such as tailors and shoemakers. Everything is supplied on contract, except mere articles of food or other articles that may have fallen short. Contracts are taken for all supplies and are rigidly enforced. These are well scrutinised; but, practically, it is a fact that we do not get the supplies as cheaply as at Kingston.

MR. BLAKE: As to outdoor employment, when I was in office, we had the men employed not only on the farm but in making bricks and in the quarries; but, in view of the finishing of the Penitentiary shortly, that will let the men free from that work, so far as the larger portion of the convicts are concerned. What is to be done with this excess of labour?

MR. McDONALD (Pictou): I think there will be no difficulty as to the employment of convicts at that Penitentiary hereafter, in the making of bricks. I understand that a contract has been obtained by the Warden of a favourable character, which will enable him to employ the men in the manufacture of that article. Besides, the hon. the Minister of Public Works has arranged for a further extension of the institution which is re-



quired, in the shape of another wing, and he expects to engage all persons who are fit to work in the institution. With regard to the statement of the hon. member for Montreal West (Mr. Gault), that the prices of food were as cheap at Montreal as in Kingston, I may say that I do not know that he was kind enough to give us any advice; and I shall be very glad to take any advice or receive any suggestions with a view to economising in these institutions.

MR. BLAKE: I would recommend the hon. Minister to stick to the system of letting by tender.

SIR ALBERT J. SMITH: I would like to enquire why the proportionate number of guards is so much larger at St. Vincent de Paul than at Kingston. There may be some special reason for this that I am not aware of.

MR. BLAKE: No doubt the reason is that, during the completion of the Penitentiary, a considerable number of guards were required. It is evident that you cannot decrease the number of guards as you decrease the number of convicts.

MR. McDONALD (Pictou): It is also evident that the greater the number employed outside the more guards are required.

MR. ANGLIN: In Kingston the number of guards is six, and the number of keepers three. The number of other employés is exactly the same.

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

### After Recess.

#### BILLS INTRODUCED.

The following Bills (*from the Senate*) were severally introduced and read the first time:—

Bill (No. 90) To amend and consolidate the laws respecting Indians.—(*Sir John A. Macdonald.*)

Bill (No. 91) Respecting Dorchester Penitentiary.—(*Mr. McDonald, Pictou.*)

Bill (No. 92) Further to continue in force, for a limited time, the better Prevention of Crime Act, 1878.—(*Mr. McDonald, Pictou.*)

#### SUPPLY.

##### VI. PENITENTIARIES.

House again resolved into Committee of Supply.

(In the Committee.)

36 St. Vincent de Paul.....\$81,800.02

MR. BLAKE: The hon. Minister

MR. McDONALD.

referred to some extra amounts. Are we to understand that the bulk of this item is of the same character as last year?

MR. McDONALD (Pictou): Yes, with the exception of the sums specially mentioned.

MR. BLAKE: I observe that the number of convicts to be maintained is 400, instead of 325, the number provided for last year. I suppose that is in consequence of the capacity of the Penitentiary being enlarged.

MR. McDONALD (Pictou): Yes, and there is an item for the addition of another wing, to accommodate 120 persons.

MR. BLAKE: Last year the hon. gentleman stated that the increase was due to the depression of business, which caused the crime. I suppose the increase this year is owing to the expected revival of trade which is to follow the policy of hon. gentlemen opposite. At any rate, this is the only evidence I can observe of the Government providing for an increase in business. Are the bad times never to end?

MR. McDONALD (Pictou): We can neither correct the morals of the people nor make good times in an hour. The bad effect of the administration of hon. gentlemen opposite was not confined to the pockets of the people.

MR. LONGLEY: Judging from the sum the chaplain receives, I think the morals of the inmates of the Penitentiary must be carefully looked after.

MR. BLAKE: There are two chaplains, one Roman Catholic and the other Protestant.

MR. McDONALD (Pictou): I hope the hon. gentleman does not begrudge the convicts any comfort they derive from the chaplains.

MR. LONGLEY: Well, I may simply remark that the convicts in the Nova Scotia Penitentiary receive the benefit of prayers at \$100 a term, and at that rate I think the chaplains of the Penitentiary under discussion would be well paid if they got \$400 a year. I observe also that the sum of \$500 a year is paid to the matron. I know hundreds of instances in which females, as intelligent and fairly respectable, render as valuable services as the matron for \$60 a year. It would be an enviable state of

things if all the females of the country were in such a good position as the matron of this institution. If no improvement in the matter of salary and otherwise can be effected now, it is to be hoped that what is said now may bear good fruit.

MR. McDONALD (Pictou): I do not think that the officers of the higher grade are too highly paid—that a man performing the duties of Mr. Creighton, taking into account his entire competency and the careful manner in which he administers the affairs of that large institution, is over paid at \$2,600 a year. The same may be said of his deputy, who occupies a responsible and arduous position. If the hon. gentleman visited some of those institutions, he would come to the conclusion that the officials are not paid too well. Taking into account the ordinary salaries paid to clergymen, I do not think the amount for the chaplain, under the circumstances, can be considered large. Of course it is larger for the clergymen of the larger institutions than for those of the smaller; because those at the smaller prisons have parishes in the neighbourhood, and do not devote their whole time to the care of the prisoners.

MR. LONGLEY said that, without desiring to depreciate those prison clergymen, he thought that in, nineteen cases out of twenty, clergymen were not too well paid. Then again, \$560 was a pretty fair salary for an ordinary sort of man, a gardener. Beyond dispute, a great many intelligent, industrious men throughout the country worked all through the year for one fourth that amount. There was a generosity manifested towards those officials, exceeding greatly that exhibited in the case of officials outside the favoured precincts of Government institutions. In the interest of the country, it was time there was a reform in this respect; there should be less liberality in paying those officials. Such salaries ground down the poor for the benefit of people in better circumstances.

MR. BUNSTER said he would like to know if the chaplains of the Penitentiaries were at all prejudiced, so far as religion was concerned. It was very delicate to appoint a clergyman to a prison, unless he was thoroughly independent

in religious matters. Political influence should have nothing to do with his appointment. He wanted to know the names and denominations of the Penitentiary chaplains. He thought there had been unjust appointments, and that all denominations should be fairly represented.

In reply to MR. BLAKE,

MR. McDONALD (Pictou) said there were no female convicts in the St. Vincent de Paul Penitentiary; they were sent to Kingston, to which place he thought they would continue to be sent even after the completion of the St. Vincent de Paul institution.

In reply to MR. BUNSTER,

MR. McDONALD (Pictou) said he could not at present give particulars as to the names and denominations of all the Penitentiary chaplains. There was a Catholic and a Protestant chaplain at each large institution.

Vote agreed to.

37 Dorchester.....\$54,300.00

MR. LONGLEY said he thought this item large, and would like explanations.

MR. McDONALD (Pictou) said there was an entirely new item of \$16,280, for the expense of reorganising and setting in order the new institution, and furnishing it. That item should be deducted from the \$54,300. That sum was the estimate; it had not yet been spent, however. They hoped to occupy the institution early in the season. He did not propose to spend more of the estimate than was absolutely necessary. Some Penitentiary furnishings might be taken from St. John and some from Halifax. Whatever was valuable would be utilised and transferred with the prisoners to the new institution. They could not set in operation such a large institution without a considerable expenditure.

MR. BLAKE said he feared, from the largeness of this estimate, that the hopes of economy formed in connection with this new institution were not likely to be realised. The item for salaries was \$25,300, while that for the salaries for the St. John and Halifax institutions, last year, reached but \$20,530. In St. John Penitentiary, owing to the arrangement made before Confederation and continuing ever since, the staff was obliged to take charge of a very large number of short-time prisoners as well—the number far

exceeding the number of Penitentiary convicts that could be at all expected from Prince Edward Island. Besides, those short-time prisoners were very much more difficult to handle than the long-time prisoners. They were more difficult to get into habits of discipline, and it required a greater degree of management and care to handle the Penitentiary, composed, as it was, of a certain number of long-term and a certain number of short-term prisoners, than if it had been composed of the same number of long-term men. Now, while they had two separate institutions, two Wardens, and two sets of officers, an estimate of 160 for St. John and 90 for Halifax, altogether 250 persons, they had salaries of \$20,500. It seemed to him that this was a very disappointing exhibition. He had been strongly in favour of the erection of the new Penitentiary. He thought it would be a good thing in the interests of the country in economy as well as in the interests of prison discipline, that there should be a first-class Penitentiary for the Maritime Provinces. But certainly, if he had supposed that it was proposed to organise the staff at Dorchester upon a more expensive and extensive scale than the aggregate staff of the two old Penitentiaries, taking charge, as they did, of the short-term prisoners at St. John, he would have hesitated a long time before concurring in any such expenditure. He agreed in the proposition that they could not reduce the expenditure of a Penitentiary proportionately to the number of convicts. But that observation had its limits, as they knew from what was done in Halifax with reference to guards and keepers and salaries, and from what was done in St. John. But here they had forty-four officers for Dorchester Penitentiary, and they had only fifty-seven, a full complement, for St. Vincent de Paul Penitentiary. They had a number which was disproportionate, if they looked to what was done in Halifax or St. John. In St. Vincent de Paul they had twenty-four guards only for 400 convicts, while there were twenty guards for 120 convicts at Dorchester. It seemed to him that in this, as in some other particulars, the staff was proposed to be organised on altogether too expensive a scale. Referring to what the hon. member who had just made some observations had said, there was of course, a difficulty

in retrenching the salaries already established. The evil ways of the predecessors of the present Government had been too much trodden in. In this particular they had endeavoured to retrench; they had not increased any Penitentiary salaries; the salaries of existing officers were retained and those of new ones as far as possible reduced. But it was another thing altogether when a new institution was to be organised, when they were commencing with a clean slate, in which they might consider both the salary that should be attached to officers who were not yet appointed, and also the extent of the staff. If the staff of one institution was to cost a great deal more in salary and be larger in numbers than the two staffs that were required to control more men in two separate institutions, it is a very extraordinary result.

MR. McDONALD: I suppose it would have been well if the hon. member, in building the central institution at Dorchester, had calculated the requirements of the institution. It is true we can only get 120 people there now. But at this moment there are about 30, if not more, convicts from the Maritime Provinces in Kingston, whom we were obliged to transport to that prison for want of room. The result is that we would be obliged immediately to add to the institution another wing to accommodate even the prisoners that are convicted in the Lower Provinces. The hon. gentleman himself observed that we require for an institution containing from 120 to 200 people, a staff almost as large as for one containing double the number, particularly in an institution in the circumstances in which that at Dorchester is now placed. The difference in the aggregate amount of the salaries between the two institutions of Halifax and St. John, and the salaries in Dorchester, arises principally from the amount allowed for guards. The Inspector of Penitentiaries states, in his report, that, inasmuch as there was no fence, no wall, and no protection outside the doors of the institution for prisoners engaged in work, if they were to be so employed, there must be a larger than ordinary staff of keepers employed until such time as the necessary repairs were made. In Halifax, there is a solid mass of stone-wall, many feet high,

which enables a small number of men to keep under their eye the whole body of the prisoners while engaged in labour within the walls. I understand the same observation will apply to St. John. With the exception of that requirement, let me compare the salaries proposed to be given to some of the officers at Dorchester, and those given always heretofore to the same grade of officers at Kingston and St. Vincent de Paul. The Warden at Kingston gets \$2,600, the Warden at Dorchester, \$2,000. The Deputy Warden at Kingston gets \$1,400, the Deputy Warden at Dorchester, \$1,200. The Accountant at Kingston gets \$1,000, and at Dorchester, \$900. The Surgeon at Kingston gets \$1,800, and at Dorchester, \$1,200. The Chaplains at Kingston get \$1,200 each, at Dorchester, \$500 each. The Chief Keeper gets \$800 in both cases. All the other minor salaries are somewhat similar, except that, in Kingston and St. Vincent de Paul, the Warden is allowed a Clerk, which is not allowed in the Dorchester Penitentiary. So that, except where the salaries are such as I thought ought not to be reduced, the salaries of the other officers are all lower, and the estimates in that respect are on the side of economy. The twenty guards have \$9,000, and the three keepers have \$1,000. The numbers and cost at St. John and Halifax are as follows: St. John, eight guards, \$3,500, three keepers, \$1,500, or \$5,000 in all. At Halifax, the keepers and guards receive \$8,200. If we are to maintain the institution with efficiency at all, keeping in view something like an equalisation in salaries between that and other institutions of the same kind, I cannot see how the House can be asked to reduce the estimates. I trust that within a year or two, the person responsible for the estimates in this institution will be able to show that it is possible to dispense with some of the labour included in these items.

MR. BLAKE: With reference to the suggestion that this Penitentiary should have been built at first large enough to accommodate all the prisoners for some time to come—

MR. McDONALD: The hon. gentleman misunderstood me: I said large enough at any rate to accommodate those now waiting to be confined in it.

MR. BLAKE: The hon. gentleman

said that, for want of that, thirty men were sent to Kingston. I venture to say they were not sent to Kingston for that reason, because the Dorchester Penitentiary had not been built. It was ascertained that the proper and most economical mode would be to build a central building, the rooms and that sort of work to be of the full and permanent size, also to build one of the wings and, as was done at St. Vincent de Paul, to place as many of the convicts as could be placed in that wing, and to use a portion of the apartments which, being built for the Penitentiary of a large size, would be far larger than would be required at first to make temporary cells in them for the accommodation of the remaining convicts. The question was carefully gone into, and, according to the then ratio of the increase of crime and the then number of convicts, it was estimated that the amount of accommodation that would be so afforded would be ample to commence with. It was thought extremely important to reserve for convict labour as large a portion of the construction of the Penitentiary as possible. That is the explanation with reference to the amount of accommodation which at the start was intended to be provided for at the Dorchester Penitentiary. As to the hon. gentleman's suggestion that it is necessary to preserve some sort of equalisation between the salaries in the different institutions, I do not agree with him on that view. The Penitentiary Act itself states, I think, three grades, or, at any rate, a minimum and a maximum grade for the different salaries. It is impossible to talk of equality with reference to the responsibilities connected with an institution designed to accommodate 150 or 180 convicts, and one which accommodates 700 or 800 convicts. The situations are entirely different. I am not now discussing the question whether \$2,000 is a sum too large or too small for the Warden, but to the general proposition that it is a great evidence of economy not to have given the maximum salary prescribed by law for the Wardens of all the Penitentiaries, I must demur. Then, again, I concur that the surgeon who has for many years received \$1,400 for the care of 700 or 800 prisoners in Kingston, should receive an addition of \$400 a year to his salary in consequence of the insane

criminals being added to his charge. An hon. gentleman informs me it was \$1,200, which is the same as the surgeon of the Dorchester Penitentiary receives. I do not agree that the duties of the surgeon of the Kingston Penitentiary, with the criminal lunatics added to his charge, duties which involve the care of between 700 and 800 criminals, at all correspond with the duties of the surgeon of Dorchester Penitentiary. I do not think there is rhyme or reason in fixing the salary of the latter officer according to that view, for it is an excessive salary for those duties. I believe it was alleged, and with truth, that the practice of Dr. Lavelle was almost entirely broken up in consequence of the constant attendance required by his *clientèle* in the Penitentiary. It would be a different thing entirely if there were only 200 convicts instead of 750; there would be presumably only one-third the attendance required. Why should the salary be the same, then? With reference to the chaplains, I may observe that, in the larger Penitentiaries, it was the understanding that the chaplains would have no other care than the cure of souls. Their sole business was to attend to the spiritual concerns of the convicts within the walls. But I do not presume it is intended to apply that to Dorchester any more than to Manitoba or British Columbia, in which the principle that was adopted by the late Government was to procure the services of some suitable minister for that purpose, whose ordinary duties brought him into convenient relations with the Penitentiary itself. The suggestion of the hon. gentleman that additional force is required so long as the wall is not built is certainly a reasonable one. I quite agree with him that, while the convicts are building the wall, it is impossible to go on without some additional assistance. I hope that, in making the appointments in that connection, such arrangements will be made as will enable him to dispense with the services of certain of the guards as soon as the necessity has ceased. May I ask how many female convicts there are in the Penitentiary for the Maritime Provinces.

Mr. McDONALD: I think not more than six or seven. I am instructed that it is necessary to have a matron. At first I thought there was no necessity for a matron for so small a number of con-

victs, but the officers say it is just as requisite to have a matron for three or four as for twenty. The matron will reside in the establishment.

Mr. ANGLIN: The whole expenditure is unquestionably too large, and it will be utterly impossible to reduce the expenditure if we start on this scale. Just glance at the figures. In Kingston we find one officer for every ten prisoners; in St. Vincent de Paul, one officer for about every eight prisoners; in Dorchester one for every four prisoners. That is a most unreasonable provision, and if we examine the details it appears loose. At the Dorchester Penitentiary, where there are only 120 convicts, I can see no necessity for a Deputy Warden. A hospital overseer is unnecessarily employed here, at a salary of \$560 a year, to wait until some one gets sick to attend to. Then could not the accountant, at the same time, be storekeeper and schoolmaster? Two teamsters, at a salary of \$500 each, are employed. Could not that work be done by the convicts? Taking it all in all it is manifest we are starting here on a scale of unprecedented extravagance. As the intention is not to employ all the keepers permanently, it would be well to distinguish between those who are to be employed permanently and those who are merely engaged temporarily, so that those temporarily engaged, would not be able to make any claim against the Government for vested interests. With regard to the chaplains, \$500 per annum seems to be a reasonable sum to allow clergymen living at a distance.

Mr. McDONALD (Pictou): In answer to the hon. gentlemen, I would say, I cannot understand why a mechanic is not worth as much in Dorchester as he is in St. Vincent de Paul or Kingston. The general details which the hon. gentleman has criticised were settled by persons officially responsible for the due performance of their duties, and who, from their long experience and known ability, were the most competent to deal with them. The hon. gentleman will pardon me if I accept the recommendation of these officials in preference to that of the hon. gentleman, who has not displayed remarkable sagacity in recommending that convicts should be employed as teamsters,

who have to travel all over the country in the discharge of their duties. I do not think, under the circumstances, we shall be called upon to take the hon. gentleman's view of the requirements of the several classes of persons who will properly fill the positions in the service of this institution. The hon. gentleman complained that there were keeper instructors who were men of considerable intelligence in the particular branch of mechanics they had charge of. The hon. gentleman ought to know that for the first few years the labour of the convicts will be employed under the superintendence of these mechanic instructors in the construction of a wall round the building and additional wings to the institution itself. Therefore, it was considered advisable that, in order to utilise to the best advantage the labour of these people, heads of the various mechanical departments should be appointed to take charge of the several departments. With regard to the farmer gardener, it is absolutely necessary to have a man of proper skill and intelligence to utilise the fertile belt of land surrounding the institution, and I do not think \$160 a year is too much to give a man capable of performing these duties. I am satisfied that there is not a single officer on the list of officials whose services are not absolutely necessary for the proper care and conduct of the institution. With reference to the suggestion that the guards should not become permanently attached to the institution, it is my purpose to employ every keeper and guard, now in Halifax or St. John, who is not too old or not otherwise incapacitated, but with the distinct understanding that, whenever, from the advanced state of the works or the fulfilment of other conditions it is expedient to dispense with their services, they shall have no claim for permanent employment in connection with the institution.

MR. ANGLIN: What I said in regard to the employment of mechanics was that, if we have a blacksmith instructor, I did not see why we should also have an engineer and machinist. What sort of machinery is he to attend to?

MR. McDONALD (Pictou): I omitted to explain, with reference to the engineering machinist, that the institution is heated by steam from a large boiler built

into some part of the lower apartments; and I am told that it would be very dangerous to the building and the inmates for a person not accustomed to take care of boilers of that description to be placed in charge of it, and that it is necessary to have some persons skilled in engineering.

MR. ANGLIN: It seems to me that \$780 is a great deal to pay every year for that work. We know that in hundreds of private houses, where the heating is done by steam, all this care is necessary, just as much as in this Penitentiary; but you would never think of incurring such an enormous expense for simply watching the boiler. I think a skilled blacksmith might very well attend to that work; and that it would be quite possible for two persons to do all the work of four of the men included in this staff. I would like to know—if this institution is really to be worked economically—why there should be a Warden and a deputy-warden to take charge of 120 men, unless the Warden is to be the head, and to be allowed to drive about while his deputy is discharging his duties. I would like to know too what an accountant has to do in an establishment of this kind. Is it to keep account of the stores? Then he must go to the storekeeper. There is no pay list, and we are not to have a manufactory established there; and even if there was I really cannot see what necessity there is for an accountant, or what he can have to do in that establishment beyond the work which the storekeeper might very well do himself. Then there is a matron and a deputy-matron.

MR. McDONALD (Pictou): I was informed by the officers of the Department that these were necessary.

MR. ANGLIN: We are not here to be instructed by any officer in the Department; the members of this House are competent to judge whether so many officials are required. Then, as to the two teamsters, the hon. gentleman says these teamsters are to be sent over the country. What in the world for? All the supplies, being tendered for, are brought to the institution by the contractors. I have some acquaintance with the duties of teamsters; but what they are to go over the country for I cannot define, nor is it to be conjectured. I cannot see any economy in the readjustment of this staff. We talk of the extraordin-

ary expense of maintenance at St. Vincent de Paul, where 400 convicts are to cost \$32,497.52; but the proportionate cost of maintenance is about the same at Dorchester, where the Intercolonial Railway runs close to the Penitentiary. The merchants of the Lower Provinces will not surely say that they cannot furnish supplies as cheaply as at Kingston, flour perhaps excepted. Sir, why there should be such an extraordinary increase in the expenditure in these Penitentiaries I cannot see; but such an increase is going on. With regard to the skill appointed on this staff, I regard it as one of the most unprecedented extravagances.

SIR SAMUEL L. TILLEY: It is very natural that the younger members of this House should criticise this estimate; but I must say that I was surprised when the hon. member for West Durham (Mr. Blake) turned, in such a patronising manner, to the hon. member for Annapolis, and said that he quite agreed with him in regard to what he called this largely increasing expenditure on the Penitentiaries, and that we should put a stop to it; and I thought I would look over the tables of expenditure from 1873 down to the last year of the late Administration. I took the years 1873-4, 1874-5, 1875-6, 1876-7, 1877-8, and 1878-9, and I find that the average expenditure on Penitentiaries for these years was \$327,484, against the present estimate of \$313,711, notwithstanding the increased expenditure this year at Kingston, and the \$8,000 additional in Manitoba.

SIR ALBERT J. SMITH: I really think, in regard to the erection of the walls, there will be more than two teamsters required, and I do not think there is much to complain of in that respect, and with reference to the number of guards, when the institution is completed, if they are reduced, and put in the same proportion as at St. Vincent de Paul, there will be a saving of \$6,000, so that really the amount for salaries would be reduced to \$19,000. With reference to the chaplains, I want to call the attention of the hon. the Minister of Justice to the fact that, while there is a resident clergyman in Dorchester, and I presume he is resident and lives very near to the institution, the Catholic clergyman will require to come

from a good distance—about five miles—and will require the use of a horse and vehicle in order to be in attendance to perform his duties. I think, therefore, that some additional allowance should be made to the Catholic clergyman to defray his expenses of driving. That subject, I have no doubt, will receive due consideration. I would like to ask when the Penitentiary is likely to be ready for occupation, and whether it is intended in the course of the summer to construct one of the wings to give increased accommodation.

MR. McDONALD (Pictou): I hope the institution will be ready for occupation by the commencement of the financial year; and I believe the hon. the Minister of Public Works proposes to make arrangements for the construction of an additional wing as early as circumstances will permit.

MR. BLAKE: I hope to receive a repetition of those cheers which greeted the hon. the Finance Minister a few moments ago, when I read the record of expenditure on Penitentiaries which he very ingeniously referred to for the purpose of showing that I was not justified in the remarks I had made. I did state that the Penitentiaries cost too much money, and that it was important to see that these expenses were reduced, and that in organising a staff care should be taken to put it on an economical basis; but I guarded myself against making any charge of extravagance against the Government which preceded the late Administration. As appears by the comparative statement referred to by the hon. the Minister of Finance, the expenditure on Penitentiaries for 1873-4 was \$395,551. The expenditure is an annually increasing one; therefore, it would be naturally expected that in each of these years following 1873-4 there would be an increase on this \$395,551. But we find that in 1874-5 the expenditure was \$337,593, or a reduction of about \$58,000; in 1875-6 it was \$312,015, or a reduction upon the preceding year of \$25,000, and a reduction on the first-mentioned year of \$83,000; for 1876-7 (my first year) the expenditure was \$303,169, or a further reduction on the previous year of \$9,000, and a total reduction on the first mentioned year of \$92,000. The expenditure for 1877-8 (my second

and only further year) was \$308,102, an increase of \$5,000 on the preceding year, but a nett decrease, on the first year of the comparative statement of \$88,000 or thereabouts.

**SIR SAMUEL L. TILLEY** : The hon. member admits that only \$5,000 additional was asked for the two years 1878, and 1879. The hon. gentleman censured the Government for their large estimates, but I think it is evident that the late Government were liberal in their estimates. The hon. member says there was a sudden jump in 1873 up to \$379,000. I do not know what lead to that increase. The figures show clearly, in view of all circumstances, that the estimates of my hon. friend are less than they were last year.

**MR. LONGLEY** : I think that a Warden having a salary of \$2,600 should be able to get along without a deputy. Most of us are aware of the extravagance which prevailed under the late Administration, but I want to see some improvement under the direction of public affairs by this Government.

**MR. JONES** : I scarcely think the salaries are too much. I notice one item of \$16,000 for organising, expenses of tools, and transfer of the whole plant; and I would like to ask any hon. gentleman who is acquainted with saw-mills, whether he could transfer the plant for less than \$16,000. I think that item is quite a reasonable one.

*Vote agreed to.*

38 Manitoba.....\$25,573.50

**MR. BLAKE** said he could not approve of the proposal to increase the salary of the Warden of this Penitentiary from \$1,400 to \$2,000. The Penitentiaries Act, passed in 1875, showed the intention of Parliament with reference to the general scales of expenses of the officers of the Penitentiaries. It was obvious they must be paid at different rates, according to the different character of the institutions. The maximum sum was \$2,600, and the minimum \$1,000. It was not possible to conceive any good reason for giving the Warden of such a small institution as the Manitoba Penitentiary, \$2,000. Instead of keeping his salary down to the minimum, it was proposed to advance it to a point approximating to the maximum, or the salaries proper to large institutions like St.

Vincent de Paul and Kingston. This increase of 50 per cent. was proposed in a serious assembly of business men because the Warden had to entertain persons visiting that country. That explanation did seem really ridiculous. Something near the minimum salary in this case ought to be fixed. It ought not to be increased partly because he had been provided with a better establishment and other advantages. The expenditure for the smaller Penitentiaries should certainly be kept down, because at the best they would prove terribly expensive considering all the work they could do. An increase of \$600 in the case of this Warden, who had so little to do, compared with the Warden of Dorchester or St. Vincent de Paul Penitentiary, did appear an act of extravagance.

**MR. PLUMB** said there was a necessity for a constantly growing expenditure in this direction. He was somewhat surprised at the argument of the hon. member for West Durham (Mr. Blake) that the salaries of the Wardens of the Penitentiaries should be graduated according to the number of the convicts attended to. He (Mr. Plumb) had yet to learn that those officers should have a percentage upon the number of convicts under their charge. In this Manitoba case, the Warden lived twenty miles from Winnipeg; his expenses were large, while it was difficult in that country to get a suitable man for such an office. Hon. gentlemen opposite were exceedingly careful of the public expenditure when not responsible for it. He had not seen the same care evinced, the same exhibition of economy, when those hon. gentlemen held the keys of the Treasury. He thought they had overdone their criticism in this matter, and that they would but injure their influence by wasting their ammunition in this manner. Nothing was so important in the administration of justice as the wholesome administration of the Penitentiary system. It would be false economy to employ unsuitable officials in those institutions for the sake of economy. He did not think the record of the late Government justified the criticism of hon. gentlemen opposite on this occasion. Though the Opposition had a perfect right to criticise the Estimates, the hon. member for Westmoreland (Sir Albert



J. Smith) and the hon. member for Gloucester (Mr. Anglin) had evidently desired to appear as zealous guardians of that Treasury which, when in office, they did so much to deplete.

MR. ROYAL: I would like to say a few words in connection with this item, "Manitoba Penitentiary." The item, no doubt, is a most important one, not only to the administration of justice in Manitoba, but also in the North-West Territories. We must not lose sight of the fact that this Penitentiary is both for Manitoba and the North-West Territories. Though the staff may be small, the duties they are called upon to perform are certainly as responsible as those of the staff of any other Penitentiary. The object, I suppose, of a Penitentiary is to reform as well as to punish, and the Warden requires to exercise a great amount of energy and prudence; to have a good idea of discipline and some experience that will give him the prudence to carry out with efficiency the objects of the institution. In the present case, I believe the Warden (Mr. Batson) has been a most efficient officer. He was appointed in 1871, and was taken from the Volunteer Force in which he was an eminent officer. He was requested by Governor Archibald to assume the duties of Warden of the Penitentiary that was then provisionally established. Mr. Batson conducted this institution with a great deal of success, both for the benefit of the institution and the Province. Under the administration of the hon. member for West Durham (Mr. Blake) as Minister of Justice, Mr. Batson's claims to the wardenship of that institution were acknowledged, and the appointment gave universal satisfaction in the Province. Now I believe that Mr. Batson is as competent to discharge the duties of a Warden as the same officer at Kingston or any other place. We must remember that in a few years the population of that part of the country will largely increase, and the number of convicts will unfortunately increase probably in the same proportion. I suppose then that the Government will not object to add a few hundred dollars to Mr. Batson's salary. Besides, the present Warden of the Manitoba Penitentiary has no deputy, and has to perform all the duties of that prison without any assistance.

MR. PLUMB.

MR. BLAKE: He has got a chief keeper.

MR. ROYAL: Yes; but the chief keeper does not act in the capacity of a Deputy Warden, and is not competent to discharge the duties of a Deputy Warden. Then Mr. Batson resides at some distance from Winnipeg, and has to go to that town very often on business. He has to keep a horse, which must add considerably to his expenses. I trust, under these circumstances, the Committee will agree in the recommendation of the Minister of Justice, to increase Mr. Batson's salary by \$600, which certainly is not too large a sum to pay him.

Vote agreed to.

39 British Columbia Penitentiary. . \$15,826.30

MR. CASEY: I desire to call the attention of the Government to a consideration which refers to Penitentiary management in general, rather than to this particular item. It has been suggested to me by several members of our County Council that, in view of the large expense incurred by the counties in sending prisoners to the Penitentiary under the care of the Sheriff, a course should be adopted by the Dominion Government similar to that adopted by the Local Government in regard to the Central Prison. I believe in that prison they keep two bailiffs, who are sent out to the country to bring in the prisoners. It was suggested that the same system might be adopted by the Dominion Government, and thus save a considerable sum to the counties. If the prisoners were brought in by bailiffs sent out by the Government the cost would be less than at present, where the Sheriffs in the different counties have to perform that duty.

MR. McINNES: Under this item I take the liberty of calling the attention of the hon. the Minister of Justice to a matter to which I called his attention last Session—that is, the small salary that the Warden of the New Westminster Penitentiary receives. It is not all in keeping with the salaries received by the Wardens and Deputy Wardens of the other Penitentiaries of the Dominion. I find, for instance, that in Kingston the Warden of the Penitentiary receives \$2,600, and the Deputy Warden \$1,400 per annum; at St. Vincent de Paul the Warden receives \$2,600, and

the Deputy Warden, \$1,400. In the Dorchester Penitentiary the Warden receives \$2,000, and the Deputy Warden, \$1,200; in Manitoba the Warden receives \$2,000, and the Chief Keeper, \$800. Now, I find that the Warden of the British Columbia Penitentiary receives \$1,200. The hon. member for West Durham (Mr. Blake) stated, a few moments ago, that, under the Penitentiary Act of 1875, the minimum salary for Wardens was fixed at \$1,000, and the maximum at \$2,600. It was during the term of office of that hon. gentleman that he appointed the Warden of the Manitoba Penitentiary, and fixed his salary at \$1,400. Two years afterwards the Warden of the British Columbia Penitentiary was appointed at a salary of \$1,200. Now, why this discrepancy should be I am unable to understand. Certainly, the cost of living in British Columbia is 25 per cent. higher than in any of the Eastern Provinces.

MR. BLAKE: Than in Manitoba?

MR. McINNES: I believe it is even higher than in Manitoba. The hon. gentleman stated that this scale of salaries for the Wardens was fixed according to the size of the Penitentiaries. I think the additional expenses of living ought to be taken into consideration more than the size of the institution. But the institution itself has from 400 to 600 convicts and has a correspondingly large number of guards and keepers. I therefore trust that the hon. the Minister of Justice, in the Supplementary Estimates, will add at least \$400 to the salary of the Warden of the British Columbia Penitentiary. Even if it was placed at \$1,600, it would still be \$400 less than that of the Warden in Manitoba. I am happy that the hon. the Minister of Justice has appointed the Chief Keeper to be Deputy Warden. I would also ask that his salary be raised from \$800 to at least \$1,000. I think that is certainly most reasonable, when we take into consideration the salaries paid to other officers throughout the Dominion. Even our Courts are only paid in the same proportion, although the cost of living is so much higher than it is elsewhere. I would like to ask the hon. the Minister of Justice if it is compulsory on the surgeon of the British Columbia Penitentiary to visit that institution once a day.

MR. McDONALD: It is compulsory.

MR. BLAKE: This is an occasion on which I am in a position to support the hon. the Minister of Justice. It is true that I fixed the salary of the Warden of the Manitoba Penitentiary at \$1,400, which, upon the whole, I thought a fit salary for that officer. When that Penitentiary was about to be organised, he was offered that office at a salary of \$1,200, and he accepted office at that salary. He had been keeper of the gaol, and was thought to be a most suitable person for the position. But I do not see, unless the principle of the hon. the Minister of Justice as to the equalisation of salaries is adopted, that the salary of the Warden in British Columbia should be raised. I do not suppose the expense of living can be so much greater in British Columbia than in Manitoba. An officer recently appointed at a salary at which he accepted the office has I think no reasonable ground upon which to ask for an increase of salary. Why the Chief Keeper should have \$200 more, I do not see. Having all through my term of office endeavoured to keep down the estimates, I feel bound, morally speaking, to pat the hon. the Minister of Justice on the back, and to help to keep this item down.

MR. McINNES: The hon. gentleman from West Durham says he was recommended by a gentleman to that position as being well qualified. If he was recommended by one individual, it must have been my predecessor, Mr. Cunningham, and I believe that all the Senators and all the members of the Commons signed the recommendation for another. They reduced the salary from \$1,400 to \$1,200, and I believe that is the principal reason why \$1,200 is all the salary the Warden gets.

Vote agreed to.

#### VII. LEGISLATION.

##### Senate.

40 Salaries and contingent expenses of the Senate.....\$55,833.00

##### House of Commons.

41 Salaries, per Clerk's Estimate...\$58,400.00

42 Expenses of Committees, extra Sessional Clerks, etc.... 12,300.00

MR. MACKENZIE: I would like to ask whether Mr. Speaker has any power left in reference to the appointment of any clerk, or of doing anything. I infer

from a memorandum that I have been shown, that he has practically been shorn of all his power in this House. I have also been led to this conclusion by other indications, such as occurred last year, when we found the Speaker was not aware that the Assistant Clerk had been dismissed until he was told of the removal in the House. We found a new appointment had been made, and he was not even aware of the new appointment. Now we find the Speaker is shorn of all the power this House entrusted him with, and that he has nothing to do but take his seat in the Chair and do whatever the Commission bids him. I think the House is entitled to some explanation, because we look to the Speaker as the representative of the authority and power of this House, and we are desirous of maintaining the Speaker in his rights, as far as that can be done. We are not desirous of seeing the Government of the day usurp all the power and authority which belongs essentially to the Speaker. For the first time in the history of this Parliament or of any British Parliament anywhere, the Speaker has ceased, for the first time, in your person, Sir, to exercise the right, authority and duties that are incumbent upon the head of this House. I wish to know whether this is done with the assent of the Speaker himself or whether by the members of the Government, who aspire to control this House and make all appointments independently of the Speaker.

MR. SPEAKER: I thank the hon. gentleman for his expression of sympathy in regard to Mr. Piché. I may say that I knew nothing of the matter, because I was not Speaker when the change was made. That was the reason I spoke from the Chair as I did when interrogated by hon. gentlemen about Mr. Piché's resignation. The Public Accounts mention some changes that have been made in the number of sessional clerks and permanent clerks. As to their appointments, I make them myself. Of course, when I think proper, I take the advice of the Commissioners. I do so, generally, because I know that it is the duty of the Commissioners of the Internal Economy to look carefully to the finances of the country. I take the advice of the members of the Commission, but I make

the appointments myself, and I am disposed and willing, and desire to make them myself as Speaker of this House, and I hope I will make them in the interest of the proper conduct of the affairs of this House. I trust, in future, that this House and every hon. member will give me their support in this respect; and that I shall be able to show at the end of my term of office, most satisfactory results—in fact a better management of the affairs of this House. I want the moral support of the hon. members on both sides of the House in the discharge of my duty, and I desire it to be understood that when I think a change or an appointment is necessary for the despatch of business and the proper Administration of the affairs of this House that I am able to judge by myself, and take all the responsibility devolving properly on me as Speaker.

MR. MACKENZIE: We are all delighted to hear the explanation of Mr. Speaker; but the explanation was really very necessary, because we were under the impression that the hon. gentleman's good nature had yielded too far in making the multitudinous appointments that have been made; but the Speaker has assumed the responsibility of all these, as well as all those which I understood the hon. gentleman to say were crowded upon by him the Commissioners. However, if the Speaker assumes these, he has undertaken a burden that I would not be willing to assume. As a member of the House I will give him my support. I will give him a little more support than he is willing to receive. I am glad to know that he has determined to resist the encroachments of the Executive, and to vindicate the privileges of Parliament. Long may his independence flourish.

MR. SPEAKER: I take the responsibility of this Session; but, although I took the responsibility of last Session, every hon. member is aware that last year I was in fact overpowered.

MR. MACKENZIE: By whom? The Commissioners?

MR. SPEAKER: Not only by them, but the members of this House, too. I was not blamed by hon. members on the other side of the House; they did not disturb me at all; and if ever there was an occasion when I might very well say: Save me

from my friends, that was the occasion. I tried gradually to take control myself. I think I have succeeded; and, as every member is aware, the new system has been working very well, and to the satisfaction of the House and the public. I will not only expect the support of members on one side of the House, but the support of both sides of the House—not the forced support, but the willing support, of all the members of the House in the discharge of the duties that devolve necessarily upon me.

MR. BLAKE: After the very frank explanation of the Speaker, I am sure we shall deal as tenderly as we can in sharing the results of this dreadful overpowering. There is an old adage, that “when things come to the worst they mend.” I am told that there was a motion made last year from these Benches for a return which resulted in a change, which—so far as the consequences estimated would lead to the inference—has been a change for the better, in the administration of the affairs of the House. I think the Speaker might be a little kinder to my friends; for they must have given him very strong and effectual moral support when they proposed to him a plain statement which resulted in a very great change for the better from that moment. I am sure, as my hon. friend beside me has observed, that the Speaker may rely on support from this side of the House. So long as we have a Speaker, and the Speaker acts up to his position, it is the duty of every member to sustain him in the exercise of the most important functions exercised within the walls of this House. I desire to know in reference to this item, what is the system upon which the sessional clerks are paid. Three dollars a day is the amount stated; but are they paid according to the time they are in attendance, or from the time of their appointment or arriving here for duty?

MR. SPEAKER: There are paid from the first day of the Session to the last day. Those that come late are, of course, only paid for the days they are in attendance. They are all discharged on the last day of the Session.

MR. BLAKE: And, in case of absence, what then?

MR. SPEAKER: Supposing it is on account of some unavoidable circumstance,

as for instance, a decease in the family of the clerk, we consider him as present.

MR. BLAKE: But under other circumstances?

MR. SPEAKER: If he leaves on his own account he must lose his pay.

MR. BLAKE: Was that the result last Session, for instance?

MR. SPEAKER: Well, last Session, a certain number were paid for the Session, others were discharged during the Session, because we thought their services were not required; but this year they have always been busy from the first day of the Session.

MR. BLAKE: Then the enormous sums of money that were disbursed were represented by so many days of attendance, during which we had the benefit of their presence?

MR. SPEAKER: Yes.

MR. BLAKE: May I ask how much we paid for that benefit last Session?

MR. SPEAKER: The item is in the Public Accounts.

MR. BLAKE: I was not able to add it up, myself.

MR. HUNTINGTON: I do not like to add to the time occupied in this discussion. I sympathise very much with the Speaker, who was pressed so much last Session. I do not think it was in human nature to resist that pressure. I am quite sure that the promises of the hon. gentleman are sincere; and as he knows that he should have the support of the House in order to be able to do his duty, he should extend his gratitude to my hon. friend from North Norfolk (Mr. Charlton), for, if my hon. friend had not made his motion last year, attention would not have been called to the matter, and the Speaker might, during the present year, have been pressed by his friends, as in the past. I am really astonished that he did not express his thanks to the hon. member for North Norfolk, for thus saving him from the vortex into which he was being plunged. If my hon. friend from North Norfolk had been a politician, in the true sense, he would have held back; he would have said: We will let these people take rope enough, and they will hang themselves. But, instead of doing that, he said: No; the Speaker is an honest man, and he must be protected; he must be snatched from the gulf that is yawning in his path. I am sure all

my friends on this side of the House,—and perhaps they will all speak before we get through,—will give the Speaker their support in his endeavours to properly administer the affairs of the House ; but I must say again that he would do well to express his gratitude for the kind admonition given him by the hon. member for North Norfolk.

MR. SPEAKER : The motion of the hon. member for North Norfolk (Mr. Charlton) came in good time. It was a very patriotic move on his part—I never complained of that—and it had its effect of course in diminishing the difficulty. I will not say in which way. Some were dismissed ; some gave their resignations. As the hon. member for Shefford (Mr. Huntington) has manifested a desire that I should return my thanks to the hon. member for North Norfolk. I do so with the greatest pleasure. This year the hon. member for North Norfolk has been also very vigilant ; he has moved two motions as to the accounts of expenses—he had a right to do this—and the returns were properly put before the Committee on Public Accounts.

MR. BLAKE : There is another point. Of course, I only speak from the record of what passed last Session on this subject, as I was not present ; but, according to that authority, the hon. the First Minister made a promise, with considerable positiveness, that there should be a reorganisation of this system, that, in fact, the evil system of having extra sessional clerks should be abolished, and that those clerks required during the Session should be permanent servants ; and, according to my memory of the debate, it was suggested that it would be proper to take into consideration some gentlemen possessing the political virtues of this side of the House, who had occupied the positions of sessional clerks during our term of power ; and the hon. the First Minister was understood to say that, in the proposed change, these persons would be considered. I am anxious, therefore, to know in what respect that understanding has been observed, and in what proportion the officers have been appointed.

MR. SPEAKER : I did not ask about their political opinions ; I presumed that they were able to do the work ; in fact

MR. HUNTINGTON.

there are a great many of these clerks who have the same political opinions as hon. gentlemen opposite.

MR. BLAKE : I am speaking now of the re-appointments.

MR. SPEAKER : I did not enquire about that. I presume that they are men who have not taken any positive party side. I thought it proper to have young men, who could stand the work, and sit up late at night ; and I do not think they will have formed any decided political opinions. But I can only say I do not know their political opinions. I tried to apportion them fairly from the Lower Provinces, the Province of Quebec and the Province of Ontario. There was a certain number among them who were here last Session, and a certain number of new appointments.

AN HON. MEMBER : How many from Manitoba ?

MR. SPEAKER : There is one.

MR. BLAKE : I am a little disappointed, Mr. Chairman ; I do not know the name of one of these persons who have the political proclivities of this side of the House. If the hon. the Speaker had been carrying out the pledge which, speaking for him, the hon. the First Minister made, he would have ascertained the political opinions of these persons.

SIR SAMUEL L. TILLEY : No, no.

MR. BLAKE : Pardon me ; the question is not to be avoided in this way. It is out of the question that these persons, who came recommended by his political friends—because I presume that they did not come from the opposite political party—

SIR SAMUEL L. TILLEY : Suppose they did not.

MR. BLAKE : That is just what I do suppose ; and, of course, knowing that, or presuming that, when Mr. A put in his credentials from his own political friends, he did not say : are you a true blue ? We do not do it that way.

SOME HON. MEMBERS : Hear, hear.

MR. BLAKE : It is not necessary. He now says : Oh, I made no enquiry as to the political opinions of the applicants. No, but he knew, as every member of this House is convinced, that all these men, except by a miracle, belonged to his own side.

MR. HESSON : Hon. gentlemen opposite set us the example.

MR. BLAKE: It was proposed to establish a new régime with reference to the servants of the House; and it was perfectly understood that, whatever side came in, the Sessional servants would not be all appointed from their own ranks. It was stated that there would be a change, and that in future, when a change in the Administration came about, there should be no change in the status of those persons. That certainly was my understanding of the statement. I, of course, speak subject to correction, as I was not here at the time. Are we to understand that, as the new arrangement was evidently made to give permanent appointment to political friends, in the good time coming for us—which has already come for the Liberals of England—we will be able to act as circumstances demand?

SIR JOHN A. MACDONALD: I recollect perfectly well the discussion that took place last Session when the hon. gentleman was not here. Perhaps we might have been spared a great deal of the eloquence of the hon. gentleman if he had been here at that time. The system which obtained for so many years was admitted by all to be a vicious one. Very many of the employés had been engaged in previous Sessions, and many were quite ignorant and untrained, and unfit for their work. That had been the case for the five years previous, and it was also the case to a great extent last year. The matter was discussed by the Commissioners on the Internal Economy of the House. The hon. member for Lambton (Mr. Mackenzie) spoke as if the Commissioners and Mr. Speaker were two different authorities. The Speaker is the presiding officer of, and acts with, that Commission in carrying out the internal economy of the House. It was thought it would be well to do away with the system referred to. Hon. gentlemen opposite admitted last Session that pressure was brought to bear upon them in regard to the appointments, and, when the present Speaker was elected to preside over this House, he also experienced similar pressure; and, in order to get rid of that vicious pressure, it was arranged by the Commissioners that the sessional clerks should be a small fixed body of men chosen from among the best of those employed in previous years, instead of a large scratch corps raised at the begin-

ning of each Session. The opinion of the Clerk of the House was taken as to the competency of most of those officers. A report was made on this point and then we made enquiry as to the representation of the different Provinces, allowing three men from each instead of four. In past years it was found that, owing to the continual pressure I have spoken of, more men were engaged than there was work for. Well, these twenty-five men were selected, and the hon. gentleman says, there should have been a political selection. I am not aware that any arrangement of that kind was arrived at. The hon. member for West Durham states that the hon. member for Gloucester made some suggestions with reference to the persons being chosen with regard to their political opinions. I think that would be a bad system to adopt. I have no doubt that, both as to the selection of the men and the ability they possess, my hon. friend (Mr. Speaker) is just as successful as any of his predecessors. There is no doubt that he has taken just as much care in the selection of those clerks as the hon. member for Gloucester (Mr. Anglin) did. The hon. member for West Durham (Mr. Blake) said there was an indication of the good times coming, when there would be a change in the system. We have heard similar statements not only with reference to the clerks of the House, but with respect to the whole Civil Service. Even the service has got notice, through the organs of the hon. gentlemen opposite, that, when the "good time" comes, the American system is to be introduced.

MR. BLAKE: No.

SIR JOHN A. MACDONALD: That is the notice which has been given. There are four years left in which to lay the basis for the introduction of the American system, when, according to wildness of hope which characterises the sanguine disposition of the hon. member for West Durham, they are to come back again. If I was a civil servant or sessional clerk, and was enjoying office with a comfortable salary, I do not think I should be disturbed by that illusion.

MR. SPEAKER: I hope the hon. member for West Durham will allow me not to follow the advice he has just given.

I would not like to be put in such a position. How would it be if, after finding out whether the candidate was a Liberal or Radical, the Speaker should ascertain the man was not fit for the office? If the man was rejected, the newspapers would declare that it was on political grounds.

AN HON. MEMBER: Suppose he was fit for the position?

MR. SPEAKER: In that case we would not consider his political opinions at all. The officer is the servant of the House, and must do everything ordered by the House. If a candidate happened to a Liberal, and I found he was a fit and proper person to discharge the duties of the office I would appoint him.

MR. WRIGHT: I think the Speaker has solved a problem which has been troubling me from the beginning of the Session. I had two unfortunate French messengers who disappeared suddenly from the House, and I did not know whether to blame the House or the Speaker. Two others were appointed who opposed me during the late election. I feel satisfied that the Speaker has been animated by the purest and most lofty motives in his selections; by that sense of public duty, and by that economy which are the eminent characteristics of all Conservatives, and more particularly the Speaker.

MR. ANGLIN: It was stated last year that the intention was to appoint a number of sessional clerks who should hold their positions permanently. I then said to the right hon. gentleman that, if that were to be done, it would be but right to commence with a fair proportion of those I had selected during my five years' incumbency of the Chair, and who were supposed to be favourable to the Liberal party. The right hon. gentleman said that ought to be done, and I was pleased that he was induced to act so fairly and justly. But that expectation was disappointed. It is now stated that no distinction was made on the score of politics. I am not aware that any one of the sessional clerks I appointed is now in the employment of the House.

SIR CHARLES TUPPER: I think the chief door-keeper was appointed by the hon. gentleman, and he occupies a much more important position. That officer was re-appointed this Session.

MR. SPEAKER.

MR. ANGLIN: I am now speaking of sessional clerks. When I was first elected to the Chair, I found a great deal of difficulty in making my selections, owing to the fact that a large number of persons had been employed as sessional clerks for many years, and, though they had been appointed because they were in accord with hon. gentlemen opposite, I do not think I displaced one. If the appointments were to be considered permanent, I think we should have started with a fair proportion of those in office when the Speaker was elected to the Chair. Nobody can sympathise with Mr. Speaker more than I do with regard to the pressure brought to bear upon him. I experienced a similar pressure for some years. These were men of capacity, men of intelligence and fully fitted to discharge any of the duties devolving upon them. They are supported by members of the House, some through sympathy for their necessities, and it is exceedingly difficult for a Speaker to absolutely resist pressure of that kind and never to employ a man more than is required. I was more than surprised on my way to Ottawa to see in the *Montreal Gazette* a speech said to have been delivered at Argenteuil by the hon. the Minister of Railways, in which he spoke of the extravagance into which the late Government had plunged, and also of myself as a Speaker who had allowed himself to be button-holed and subjected to improper and undue influence, and had appointed an enormous number of clerks and others, not at all required by the service of the House. He then proceeded to speak of himself and colleagues as men who had come to make great reforms—the idea being something like the cleansing of the Augean stables, stating that they had an enormous task before them in sweeping out all the supernumerary clerks and officers whom I had employed. I really wondered if the hon. gentleman quite believed all he stated on that occasion and imagined that what he and his colleagues had done during the Session of 1879 had really been done by me in 1875, 1876, 1877 and 1878. It is true that in 1877, 1878—and 1878 particularly—a larger number of sessional clerks was employed than was absolutely necessary. I adopted the plan of employing only a few in the earlier days of the Session, and others only

as the work grew, and sometimes a larger number than necessary were employed. One day, during the last Session, I found that a number of the young men had nothing to do, and were disporting themselves about the streets. I called for a report, which should have been voluntarily made to me, and on obtaining it I dismissed seven clerks, who I found had actually done nothing for several weeks before more than draw their pay. That might have occurred under any administration, but I do not feel that anything that I have done justified the extraordinary charges of the hon. the Minister of Railways in regard to my extravagance. He must have imagined that I was guilty of what was done after I left the Speaker's Chair. I think the number here will be quite competent to do all the business. I find, during the latter years of my occupancy of the Speaker's Chair, the Committee work was very much less than in the earlier years, and that, when Special Committees were struck, very often the Chairman would insist that some particular person must be employed, because he had devoted a great deal of time and attention to the particular questions to be considered and could materially assist the Chairman and do the work very much better than anyone taken from the ordinary staff; and on three or four occasions I found myself almost compelled to go outside the circle of the ordinary clerks, and appoint those men because of their supposed special qualifications. That may occur again, but I believe that, under ordinary circumstances, twenty-five sessional clerks, besides the French translators, who were always included among the sessional clerks in my time, are quite sufficient to do all the work.

SIR CHARLES TUPPER: I can only say, in reference to the statement of the hon. member for Gloucester (Mr. Anglin), that, at the nomination in Argenteuil, a very bitter attack was made on the present Speaker of the House by the candidate in the interest of the hon. gentleman opposite. I felt bound to state, in explanation of the charge, that he had enormously increased the number of sessional clerks, that the practice that had grown up during the incumbency of the former Speaker,

had led to a great deal of pressure being exercised by members for such appointments. I think the hon. gentleman has sustained fully the statement I made in reference to himself in the remarks just uttered.

MR. ANGLIN: I do not.

SIR CHARLES TUPPER: The hon. gentleman has admitted that he was pressed by supporters of the Government or button-holed, and induced to appoint a great number of clerks not required, and that he had learned afterwards that some of them were walking about the streets instead of performing their duties to the people, and he makes a merit of having discharged those clerks. The hon. member for Gloucester stated that the present Speaker was not entitled to all the credit for the economy effected in his Department, and asked him to return his thanks to the hon. member for North Norfolk for having assisted him in getting rid of a number of these supernumeraries. So, I ask the hon. member for Gloucester to return his thanks to the hon. member for Frontenac, who kindly assisted him in getting rid of a large number of those he had appointed and charged upon the public revenue, persons who had no duties to perform, or who neglected the little work assigned them. The hon. gentleman has no reason to complain of my remarks in reference to the example he had set the present Speaker, of appointing unnecessary officials, after his attack upon that gentleman, under the circumstances. His own admissions on this occasion justified the charge I made. He has confessed to having been obliged to yield to the pressure put upon him by members and persons outside the House, in reference to appointing a large number of clerks, whose services were not required, and who were so disrespectful towards the Speaker as to disport themselves about the streets and pay no attention to their duties. The Commissioners on Internal Economy has found the present Speaker most ready and anxious to give the heartiest cooperation and support to the proposition to place this matter on an entirely different and satisfactory basis. The Speaker, with his colleagues, has been anxious to have the duties of these officials discharged, not only in a most thorough and efficient manner, but with the utmost regard to economy



and the Department has been relieved from that excessive expenditure which grew up so rapidly under the administration of the previous Speaker, and which it was found absolutely necessary to check. Instead of treating the officers appointed by the late Speaker as he described, one of his appointees has been promoted with our increase to his salary.

MR. ANGLIN: Will you tell us the reason why?

SIR CHARLES TUPPER: I am quite willing.

MR. ANGLIN: You know it was because he assisted in canvassing Westmoreland against the present hon. member for that county.

SIR CHARLES TUPPER: I was not aware of that fact until this moment. If I had been, it would have furnished an additional reason for the promotion. I want to remind the late Speaker that we have not treated his appointees harshly, and the fact now mentioned shows that he had selected a gentleman of very considerable discernment for the office, for, when that officer found himself wrong, it appears that he was disposed to take the proper course in the interests of the people. The hon. member for Gloucester was not so impartial when he occupied the Chair as he now professes, for he dismissed a gentleman from the post-office who had the misfortune to be a Conservative.

MR. ANGLIN: Will you tell me the reason why?

SIR CHARLES TUPPER: The hon. gentleman's great anxiety to have officers of the House dispensed with, his most wonderful economy and impartiality with regard to appointments, seem to have only arisen since he ceased to be the head of the House.

MR. McLENNAN: I do not wish to prolong the discussion, but, if there is to be a general thanksgiving, I also have some claim to the gratitude of the hon. member for Gloucester. When I came to this House a stranger, and was taken in very kindly, I did not take my friends by the throat; I did not say they should make appointments to please me. I never had an appointment made to this hour. But I met in a Committee-room, a clerk who had been canvassing in my county very vigorously against me; he is now one of the permanent clerks—made

so or retained by my friends. I have not asked for his discharge, nor do I do so now; but I do ask the hon. member for Gloucester to admit that in this case the Government has been generous.

SIR RICHARD J. CARTWRIGHT: I think there is some difference between the position of the hon. member for Gloucester and the present Speaker in the matter of the appointment of these clerks. I recollect very distinctly that the attention of the House was called by the member for Frontenac to what he called the excessive and extravagant number of clerks appointed by my hon. friend (Mr. Anglin). My recollection is that the number at that time, described as very great, was thirty nine. The other day a return showed that eighty-nine had been appointed by my hon. friend opposite (Mr. Speaker Blanchet), and now I am quite aware that he was hardly responsible under the circumstances for that large number.

SIR CHARLES TUPPER: I think fifty-eight is the number appointed last year. I fear the hon. member for Centre Huron (Sir Richard J. Cartwright) has understated one number, and overstated the other.

SIR RICHARD J. CARTWRIGHT: I am open to correction, if wrong. I speak from recollection, and think I am correct in stating that there were eighty-nine sessional clerks, and sixty extra messengers—in other words, not very far short of one hundred more in these two classes than the hon. member for Gloucester (Mr. Anglin), in the previous year, had appointed. The difference between thirty-nine and eighty-nine is a little too considerable to have warranted the hon. member for Cumberland (Sir Charles Tupper) in declaring that the hon. member for Gloucester had been a vast deal more extravagant in this matter than the present Speaker.

SIR CHARLES TUPPER: I never made any such statement.

SIR RICHARD J. CARTWRIGHT: I saw that report made. It might not have been correct, however. If the hon. gentleman states that he asserted before the electors of Argenteuil that the hon. member for Gloucester had appointed two-fifths of the number of the officials the present Speaker had appointed, and that that action was gross extravagance, I will

take the statement back ; but I do not think that was the impression made upon the minds of the electors of Argenteuil. I am glad to hear of the improvement about to be made ; but there is no comparison between the number of appointments made by the Grit Speaker, and those made by the Speaker of the party at present in power, who claimed before they got into power that they were going to be a vast deal more economical than the Government they supplanted. The fact that some dozen or half a dozen too many were appointed by the late Speaker did not quite justify the present Speaker and colleagues in appointing nearly 100 clerks last Session.

MR. HUNTINGTON : I would like to know if the hon. member for Cumberland said the Speaker did make a mistake, or that the floodgates of corruption had been opened by the hon. gentleman who preceded him (Mr. Anglin), and that it would be necessary for him to follow in the same path. It appears the Speaker, according to the hon. gentleman was not to be satisfied by doing as much as the hon. member for Cumberland, but was to go a great way beyond him. I would like to ask the hon. gentleman from Cumberland (Sir Charles Tupper) if he does not know that this country had a history before the hon. member for Gloucester took the Speaker's Chair, and that this system had been prevalent for many years? My private opinion is that this system is a bad system all round. I am speaking for myself, not in a party sense, and no one is responsible for what I say. But, however the Speakers on the one side or the other may attempt to gloss over the interests which compelled them to do this, that, or the other thing, we know that they appoint, when they are in power, men who are supposed to have claims upon the party under whom they hold office. I believe that the sooner we get rid of that system the better, the sooner we follow the example of England the better, and adopt some system by which patronage may be taken away from the Government. I know very well that, on this side of the House, there is no great advantage from exercising this patronage, but I suppose there must be some great advantage in it to the other side, from the extraordinary explanations

we have just listened to. We have the Speaker expressing regret to-night that he had gone too far in the appointments of last year. We all know he went too far, but we had the hon. members for Cumberland (Sir Charles Tupper), and Argenteuil (Mr. Abbott), attempting to impress upon the people of Argenteuil that they ought to drive out their own member and return another man here, because the Speaker had been misled by the example of the hon. member for Gloucester (Mr. Anglin). Was there no Speaker before the hon. member for Gloucester when this system prevailed for a long time? Why did not the hon. gentleman from Cumberland state frankly, as the Speaker has told us to-night, that there had been a mistake made, and that it had been rectified this year? Why does he not give the people, if he expects them to believe him when he addresses them, a frank, fair statement of public affairs? Why does the hon. gentleman exaggerate? This is what is apparent to-day in Argenteuil, and is what his enemies claim, and, I believe, his friends admit, he does in other places. Sir, I believe that a public man who occupies the position of the hon. the Minister of Railways, when he speaks upon questions of this kind, is bound to tell the people frankly what are the facts. I believe it is the duty of a public man addressing this House to speak frankly as to the manner in which he exercises the patronage of this country ; and with all my own leanings towards the present Speaker, with all my disposition to support him in every proper emergency, I would have felt better, because he is the First Commoner in this country, if he had told us frankly, what every man of intelligence knows well, that he had appointed no man to office who had not claims, according to his belief, on the party which he supports ; and he might have added, that the system which compelled him to do that compelled every other hon. Speaker to do the same thing, and was a system which both sides might properly unite to find some means of doing away with altogether. But what I complain of the hon. gentlemen for, is this—and I think it is a complaint to which significance attaches, not only with regard to the particular contest in Argenteuil, but to the contests which go on throughout the country,—

that public men who profess to be honourable men, who, themselves, are fully cognisant of public affairs, should stand up before the people, who have not had an opportunity of discussing and considering, and reflecting upon all these questions, and seek to mislead them, as did the hon. gentleman opposite in Argenteuil, by persuading them that the Speaker was justified in the appointments which he had made, and which he, himself, has acknowledged were extravagant, and which the hon. gentleman, if he had been willing to be fair to the people of Argenteuil, should have admitted frankly were extravagant, instead of attempting to extenuate and justify them. Sir, the politics of this country can never be made respectable, public life in this country can never commend itself to honourable men, so long as hon. gentlemen occupying the high position of Minister of Railways will go into the country and discuss questions, not on their merits, as they have been discussed to-night by the Speaker, but by seeking by an *ad captandum* trick to mislead the people, and divert public attention from the real facts. The hon. gentleman refused to acknowledge the facts as they exist, and has made a statement which he knows himself, which he must have known, which, at any rate, he has learned to-night, is not justified by the circumstances. I am convinced that the position which the hon. gentleman occupied towards the canals and public works in the county of Argenteuil influenced the result of that election; but, when the people hear that the hon. gentleman has been convicted by the hon. the First Commoner, that a statement which he made there—he, the great parliamentarian—he, the chief of the railway system in this country—he, whom the people expected to tell them the truth when he talked to them at all—when they see, speaking on his right hand, the Speaker of this House condemning the fallacies and false statements which he made to them, they will regret that the hon. gentleman ever came into Argenteuil at all. They will tell him that, if he had not gone there, the situation would have been different, that he deceived them, and they will learn, as I hope the people of this country are learning, that the extravagant statements which the hon. gentleman

makes from one end of the country to the other when he addresses the public, are statements which they must discredit, which they cannot believe. I say it without offence; I suppose in the burning eloquence which the hon. gentleman exercises, he makes himself believe his own statement. His eyes are like a magnifying glass, and make him believe that the seven men dismissed were “a great number,” as he stated repeatedly to-night. I say the people will learn to understand that the hon. gentleman goes there to plead a cause which, according to his ideas, is to be pleaded without regard to the facts, without regard to the population, without regard to any of the circumstances which should be submitted for a fair and impartial judgment on the part of the people. I think it is well that the people of Argenteuil should understand. I do not know but it is too late to-night for them to get a report of the hon. gentleman's condemnation by the Speaker, for I think it is to be regretted that this supplement to the hon. gentleman's speech, should not be recorded in such a way that the people of Argenteuil may understand the true character of the *caballeur* who, occupying the high position of Minister of Railways, went down there and misled them, making immense statements which have been contradicted by the First Commoner of this House, and which the hon. gentleman ought not to repeat.

MR. DOMVILLE: I have listened to my hon. friend who has just sat down, with a great deal of amusement. We know buncombe is the order of the age. When my hon. friend the hon. member for West Durham was on this side of the House, he took the very same tactics he has taken to-night; he tried to make the country believe he was economical, and we have found he did not reduce the expenditure a bit, but largely increased it. I am satisfied it will be a long time before the people will make the change the hon. gentleman indicates. They have tried both sides; they have tried our friend when he was a Minister of the Crown, and they said: We cannot stand your unfulfilled promises, we want a change for the better. My hon. friend brought in the election for Argenteuil. What has that to do with the question of sessional clerks? I have no doubt we will

see in the papers to-morrow that the hon. gentleman made a great speech on the question—like that of my hon. friend from Queen's, whose speeches are telegraphed from here to the St. John papers by a reporter for that paper in the Gallery, who is reported to write them for him, and the flourish is made at the same time through that paper that Mr. King made a noble speech in defence of his country; and I believe it filled two or three columns in the newspapers—buncombe again. And when the hon. member for the city and the county of St. John (Mr. Weldon) made a few remarks, the newspapers gave a report ten or twenty columns long—more buncombe. Now, the people of this country are too intelligent to stand that bosh. We have had a long discussion to-night about Penitentiaries, and one hon. gentleman who was speaking did not know the difference between a female matron and a male matron. The hon. gentlemen belonging to the other side seem to-night to be talking for their constituents, to make political capital by their buncombe. I think, on this question of sessional clerks, the whole difficulty is that we are in power, and our hon. friends are in Opposition, and they seem to wish to induce the country to believe, when they speak buncombe, they are really in earnest.

MR. TASSE: Some hon. gentlemen have been complaining that the present Speaker has appointed no Liberal clerks this Session, but, if he has been actuated by party considerations in his appointments, he has only followed the custom of the hon. gentlemen opposite when they were in power. In former days, when the Conservative party was at the head of affairs, on many occasions not only did they employ ordinary sessional clerks who belonged to the opposite party, but newspaper editors who were writing against the very Government that employed them. I would like to know when the Liberal party has given such an illustration of their liberality towards our friends. The hon. gentleman from Shefford (Mr. Huntington) has stated he was sorry he was not at the Argen-teuil nomination to refute some assertions of the hon. the Minister of Railways, concerning the expenditure of this House. Well, I think there are very few people in this country, or, at all events, in this House, who are sorry he

was absent from that nomination, especially if that hon. gentleman intended to give to the electors of that county an enlarged edition of his too famous Argen-teuil speech, which was condemned, not only by the Conservatives of this country, but by many Liberals, including a most prominent Liberal member of this House, who is now no more.

MR. ANGLIN: The hon. the Minister of Railways began his speech by saying I had made an attack on the Speaker, that I charged the Speaker with not having employed any Liberals on the staff of this House. Now, I beg to say distinctly that I made no such charge: I found no fault with Mr. Speaker, and made no objection to anything he has done. I carefully avoided any reference to anything in which the Speaker's conduct might be a subject of remark. But, in regard to the statement made by the hon. the leader of the House, that hereafter those who were formerly employed as sessional clerks should be employed permanently, I suggested that if the positions were to be made permanent, it would be but fair that some of those appointed during the five years of my incumbency, should be included. I do not blame the Speaker for not having carried out that arrangement. I stated, furthermore, that, when I assumed that office, I found in the employ of the House, as sessional clerks, a large number of persons appointed by hon. gentlemen on the other side, whom I was reluctant to displace, because they had been some time in that position and were dependent upon it. Only one case has been pointed to, and that is a strong confirmation of my statement. That clerk was reappointed, and only dismissed when a serious charge was made against him. Mr. Kerr, of Northumberland, charged that this young man had been an active canvasser during the previous election, and that he was a leader of a band which disturbed one of his public meetings, and I think the leader of some men who interrupted him frequently while addressing the electors on nomination day. I felt then, as I feel now, that conduct such as that could not be tolerated on the part of any person employed in the House of Commons. I interrogated the young man, and he did not quite deny the charge, and, in dismissing him, I did not think I was dealing

harshly with him. As I did not discharge him until a complaint was made against him, the House will see how tenderly I dealt with the Conservatives I found in office. The hon. the Minister of Railways in a speech made at Argenteuil, reported in the *Montreal Gazette*, February 7th, represented that I was responsible for the appointments of last year, that I had set such a frightful example, by appointing so many useless persons, that the present Speaker and Commissioners, though determined to be economical, could not resist the pressure in one Session. I did not put anyone into a position whom I did not think I could find some useful work for, in which he could earn all he was to receive. The dismissals of which I spoke were made previous to bringing down the return asked for by the hon. member for Frontenac, and were not made in consequence of any apprehension that the return would be made. My principle in making the appointments was to accept nominations from my friends, and from those who were members of the party to which I belonged before I was elected Speaker.

MR. BABY: The hon. gentleman took credit for having acted tenderly towards an official whom he afterwards dismissed from office, because he was reported to have led a crowd which interrupted an hon. gentleman at election meetings. I do not like to make any comparison, but I would like to ask how the hon. gentleman would have acted had the clerk in question come forward against the hon. member himself as a candidate for Gloucester? Now, it so happened that when Mr. Speaker ran for the county of Bellechasse, he was actually confronted by a permanent clerk of this House and, may it redound to his honour, Mr. Speaker, after he took the Chair, never thought of disturbing this indiscreet individual who still occupies his position in this House. What does the hon. member say to this?

MR. HESSON: The hon. ex-Speaker was never supposed to have made any preferences in regard to Conservatives, and I am sure the Conservative party would have been much surprised if the hon. gentleman had made such appointments. Hon. gentlemen opposite did not, however, credit the present Speaker when he said he had no political leanings

in respect to those appointed as sessional clerks and messengers. I can testify to the truth of that statement from my own knowledge. I, myself, tried to have a sessional clerk put on for the county I represent, a county, by the way, never yet fairly dealt with by the Government. Hon. gentlemen may imagine my surprise when, after having applied to the Speaker I found a person who resided in my county, who was an active, hard working and enthusiastic Grit, had been taken into the service of the Speaker of this House, while my Conservative friend's application was not accepted. That individual held a position here for a month, I am sorry to say regardless of objections of Conservatives on this side, until hon. gentlemen on the other side complained that there was too large a staff. Then he was dismissed together with a great many Conservatives whose services were dispensed with also. What I complain of is that the hon. Speaker did not consult those he ought to have consulted in regard to this appointment. Had he done so that individual would not have been appointed. Taking this into consideration, I do not think hon. gentlemen should discredit the Speaker, when he states that he did not question the appointees' political leanings. I think it right that the members of this House who have supported the party in power should be considered, and, whilst it is important that all civil servants should be continued in office so long as they discharge their duties faithfully, I yet believe that all new appointments ought to be made from friends of the party in power. The late Speaker very frankly confesses that he viewed his duty in that light and acted accordingly.

MR. CAMERON (North Victoria): The hon. member for Gloucester takes credit to himself for having acted with great impartiality in reference to the dismissal of a clerk from the Post-office Department of this House. We are told that, when the complaint was made, the young man was sent for and questioned in regard to the matter. He admitted the truth of the statement, and the late Speaker thereupon dismissed him. I recollect seeing at the time a statement in the newspapers, of which I have no reason to doubt the correctness. From the

information I have, I think my hon. friend's memory is very much at fault. The statement I have heard is that, the hon. member for Gloucester never had any communication with the young man on the subject when the complaint was made. The only communication on the subject made to the clerk in the post-office, was that the Clerk of the House walked into the post-office and told him he was dismissed. He never had one word with the hon. member for Gloucester. It was a very contemptible piece of small revenge on the part of the then member for Northumberland, to have this young man dismissed, because he was known to be an active opponent. When the responsibility was put upon him he endeavoured to repudiate it altogether. The hon. member for Gloucester endeavoured to show impartiality, and that he was only dismissed when charged with improper conduct. That statement was contradicted at the time; an opposite statement was made, and, from enquiries, I am inclined to think that the statement of the hon. member for Gloucester is a mistaken one.

MR. ANGLIN: This took place some six or seven years ago, but I remember distinctly having had a conversation with that clerk on the subject. I cannot remember whether he came to see me of his own accord or I sent for him. I told him the charge that had been made against him; he did not deny the charge, but he endeavoured to qualify it. I never made any defence or statement in the newspapers, no matter what was said of my conduct. I felt that, in my capacity of Speaker, I was only accountable to this House. I had forgotten all about it until now reminded of it by the hon. the Minister of Railways. I told the young man I could not tolerate such conduct as that charged against him; he did not deny the charge, but said his conduct was not so bad as represented. Virtually, however, he admitted the charge.

MR. CAMERON: The young man denies distinctly that he had any communication with the hon. member for Gloucester, or that he was told, before he was discharged, what he was dismissed for.

MR. BOWELL: Would the hon. gentleman say in what way the young

man qualified the charge made against him?

MR. ANGLIN: I think he admitted that he was at a meeting as charged; that there was a tumult at the meeting; that he was amongst the crowd, but that he was not one of the ring-leaders as had been charged against him by Mr. Kerr.

MR. BOWELL: His statement was that he had worked against Mr. Kerr, but that he had nothing whatever to do with the riotous conduct; and his statement is, further, that he knew nothing of those charges until he was dismissed.

MR. ANGLIN: He admitted he was there.

*Vote agreed to.*

43 Contingencies.....	\$19,600 00
44 Publishing <i>Debates</i> .....	15,000 00

MR. GAULT: I think the publishing of the *Debates* causes this House to sit longer than is necessary, and thus brings on a daily expense of \$7,500, for what—to use an expression which fell from another hon. gentleman's lips to-night—is nothing but buncombe.

*Vote agreed to.*

45 Salaries and contingencies, per Sergeant-at-Arms' Estimate...\$27,775 00	
<i>Miscellaneous.</i>	
46 Grant to Parliamentary Library	7,000 00
47 To defray expenses of extra services in making new catalogues of the Historical and General Departments.....	850 00
48 Salaries of Officers (additional) and contingencies of Library ...	5,000 00

In reply to MR. MACKENZIE,

MR. BABY said there was no detail of this vote; it was not proposed to increase the salaries of the existing officers in the Library, but there was before the Committee a certain proposal for reorganisation, and no report had yet been made; and, when made, it must be concurred in by both Houses.

MR. ROSS (West Middlesex): In connection with the Library, it will be remembered that a catalogue was printed during last Session, and that a vote was submitted for over \$5,000. I called the attention of the House to the fact that the contract price was only \$2,535, and I was promised by the hon. the First Minister that it would be seen into, and that no higher than contract prices would be paid for it. I find, however, by the Public

Accounts that the actual amount paid was \$3,942. I merely remind the hon. the First Minister that his promise, as reported in the *Debates*, has not been carried out.

SIR JOHN A. MACDONALD: I recollect something of the circumstance now my attention is called to it. The catalogue was printed by other persons instead of the contractors, because it could not be got ready otherwise in time for the use of the House; and the Librarian assumed the responsibility of sending it out to be done by other persons so as to ensure despatch. I said it would no doubt be paid for under the contract rate of price; and I have heard nothing about it until now.

Vote agreed to.

49	Printing, binding and distributing the laws .....	\$12,000 00
50	Printing, printing paper and bookbinding .....	70,000 00
51	{ Salary of the Clerk of the Crown in Chancery .....	2,000 00
	{ Contingencies .....	1,200 00
52	Miscellaneous printing .....	2,000 00

Resolutions ordered to be reported.  
House resumed.

(In the House.)

Resolutions reported.

House adjourned at

Ten minutes before

One o'clock.

## HOUSE OF COMMONS.

Monday, 5th April, 1880.

The Speaker took the Chair at Three o'clock.

PRAYERS.

BILL INTRODUCED.

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

Bill (No. 33) To prevent and punish wrongs to children.—(Mr. Richey.)

PRIVILEGE—EMIGRATION PAMPHLETS.

REMARKS.

MR. TROW: Before the Orders of the Day are called, I desire to call the attention of the House to a question of privilege, in reference to a pamphlet which I wrote on Manitoba and the North-West, in the year 1877, which was circulated in the Dominion and Great Britain extensively. The hon. the Minister of

Mr. Ross.

Agriculture stated here that I might have participated in the profits derived from the sale of this pamphlet, but, after examining the records of his Department, he acquitted me of having received anything at all. Since then, I observe in the Ottawa correspondence of the *Montreal Gazette*, the following statement:—

“Mr. Trow, M.P., appears also, in spite of his modest disclaimer of the powers of Government patronages, to have netted \$1,500 out of his western trip.”

This statement is made in direct contradiction to that of the hon. the Minister of Agriculture and Emigration, that I had received nothing. I have the returns called for in my hands, and I find there is nothing to show that I received anything whatever. I deny the charge entirely that I ever received a cent, nor would I have accepted it if it had been offered, for it would have been contrary to my principles.

PRIVILEGE—CORRECTION OF NEWS-PAPER REPORT.

REMARKS.

MR. ORTON: I desire to refer to a report of my remarks on the Interest Bill, which appeared in the *Mail* of April 1st. I am there made to say that 25 per cent. was charged by the Trust and Loan Company for the use of \$2,000. I think this is reflecting very unjustly on the Trust and Loan Company, and I wish to state that I never mentioned that Company during the course of my remarks. I looked into the *Debates* to see whether I had made any remark of that kind, and found that I had not. What I did state was, that \$2,000 was borrowed by a certain individual, and, for the use of that money for a little over six years, he paid, with lawyers' and insurance fees, and the instalments to be paid to redeem the mortgage, etc., no less than 25 per cent. This was paid, not to the Trust and Loan Company, but to the Western Canada Loan and Savings Company.

SIR JOHN A. MACDONALD: I was not in the House when my hon. friend made that statement. If he had said so with respect to the Trust and Loan Company, I could have corrected him. I have been connected with that Company for thirty years, and I have never known a case in which they have taken more than 8 per cent. It has never charged

for a renewal, or fine, or anything of that kind, but has solely collected its interest as allowed by law.

## PRIVATE BILL.

## THIRD READING.

The following Bill was considered in Committee of the Whole, reported, read the third time, and passed:—

Bill (No. 21) To empower the Stadacona Fire and Life Insurance Company to relinquish their Charter and to provide for the winding up of their affairs.—(Mr Casgrain.)

## MARITIME PROVINCES HERRING FISHERY LICENSES.

## QUESTION.

SIR ALBERT J. SMITH enquired, Whether it is the intention of the Government to require parties engaged in the Spring Herring Fisheries, in the Maritime Provinces, to take out a license for the purpose.

MR. POPE (Queen's, P.E.I.): It is not the intention of the Government.

## NOVA SCOTIA LOBSTER FISHERY.

## QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to make any change in the Order in Council now in force, regulating the prosecution of the Lobster Fishery, either upon the south coast of Nova Scotia or in the waters of the Gulf of St. Lawrence; and, if so, what change is proposed.

MR. POPE (Queen's, P.E.I.): It is not the intention of the Government to make any change in the Order in Council now in force, regulating the prosecution of the Lobster Fishery upon the south coast of Nova Scotia. So far as regards the waters of the Gulf of St. Lawrence, that is under the consideration of the Government.

## SHELBURNE, N. S.—LOCKPORT HARBOUR BUOY.

## QUESTION.

MR. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to place an automatic or bell buoy in any position off the entrance to Lockport Harbour, Shelburne county, Nova Scotia, during the present year.

MR. POPE (Queen's, P.E.I.): It is not the intention of the Government.

## MILITIA ORDERS—A CANADIAN ESTABLISHED CHURCH.

## QUESTION.

MR. SKINNER enquired, What Church is referred to as "The Established Church" in section No. 358 of the Regulations and Orders for the Militia of Canada, recently published by the authority of the the hon. the Minister of Militia and Defence?

MR. MASSON: This regulation is an exact transcript of the Queen's Regulations, but, as there is no Established Church in this country, the Government intends seeing that this regulation is amended.

## GUYSBOROUGH, N. S.—DISTRESSED FISHERMEN.

## QUESTION.

MR. ROBERTSON (Shelburne) enquired, What assistance the Government have extended, pecuniary or otherwise, to the distressed fishermen of the county of Guysborough? Whether they are prepared to afford similar relief to others so situated on the southern coast of Nova Scotia? Whether they have received any information or made any enquiries as to the extent of the distress, and whether they will lay the result before the House?

MR. LANGEVIN: The Government has extended assistance to the distressed fishermen of the county of Guysborough to the extent of \$1,000, which we shall see is recouped by labour at the proper time. If other representations are made to the Government, they will consider whether they can afford any further assistance. The information that has been laid before the Government on this matter will be laid before the House.

## KEEWATIN—MAGISTERIAL JURISDICTION.

## QUESTION.

MR. ROYAL enquired, Is it the intention of the Government to take such steps as will prevent such conflicts of jurisdiction as the late commitment at Rat Portage, in the district of Keewatin, of a man accused of murder, by a Magistrate holding his commission from the Executive of Ontario, and of the sending of the accused to the jail at Prince Arthur's Landing, in charge of a constable commissioned by the same authority, there to



stand his trial before a Court of the same Province?

MR. McDONALD (Pictou): When the circumstances referred to in the question came to my knowledge, I took immediate steps to obtain a full statement of the facts and circumstances connected with the matter. I have not received that statement yet, but, when received, the action of the Government will be governed by the facts to be gathered.

#### MANITOBA SETTLERS.

##### QUESTION.

MR. ROYAL enquired, Whether it is the intention of the Government, in view of what has just taken place in the Courts at Winnipeg, in the case of the Hudson's Bay Company *vs.* Ayotte, and in order to prevent the recurrence of similar troubles, to protect settlers who are in a position to prove, by sworn testimony, their occupancy prior to the 15th July, 1870, of certain lands which were subsequently included in the townships.

SIR JOHN A. MACDONALD: The attention of the Government has not before been called to this subject. I have not seen the case mentioned, but will take an opportunity of seeing it, and be governed accordingly.

#### NOVA SCOTIA—LIGHTHOUSE ON JEDDORE ROCK.

##### QUESTION.

MR. DALY enquired, Whether it is the intention of the Government to provide for the construction of a lighthouse on Jeddore Rock, in the county of Halifax, N.S., during the present year.

MR. POPE (Queen's, P.E.I.): This is under the consideration of the Government.

#### AMERICAN CATTLE IMPORTATIONS.

##### QUESTION.

MR. PATTERSON (Essex) enquired, Whether it is the intention of the Government to remove the restrictions on the importation of American cattle, and more especially of cattle for stock-breeding purposes.

MR. POPE (Compton): This matter is, and has been for some time, engaging the attention of the Government. Some correspondence has taken place between this Government and the Government of Great Britain. It is important to keep

disease out of the country; and that our farmers should not only be protected, but be enabled to obtain a profitable market. We have obtained some concessions, and we still believe that our first duty is to the farmers of this country, at the same time to cause as little embarrassment as possible to the trade of the country, and all we can do to assist and encourage stock-breeding, having a due regard to keeping disease from the country we will do.

#### NOVA SCOTIA—LIGHTHOUSE ON CROUCHER ISLAND.

##### QUESTION.

MR. DALY enquired, Whether it is the intention of the Government to provide for the construction of a lighthouse on Croucher Island, Margaret's Bay, in the county of Halifax, N.S., during the present year.

MR. POPE (Queen's P.E.I.): It is not the intention of the Government to do so.

#### CANADIAN PUBLIC LANDS.

##### RESOLUTIONS PROPOSED.

MR. CHARLTON, in moving for a Committee of the Whole to consider certain Resolutions declaring the expediency of disposing of the public lands of Canada by selling them, so far as practicable, to actual settlers only, said: Mr. Speaker, the Resolutions I am about to place in your hands are of more than ordinary importance; the subject to which they relate is not only one affecting the interests of the hour, but also of the future. I propose to discuss this question briefly; and I shall endeavour to approach the discussion, not in a partisan spirit, not with the view of cavilling at anything and everything which the Government have done or may propose to do; but with a sincere desire to advocate what I believe to be for the best interests of the country. Some features of the Government's land policy are undeniably objectionable, and calculated to produce a pernicious result in the near future. No hon. member in this House should be indifferent as to the question of the best mode of management and sale of the public lands of this Dominion. The wilderness character public domain will rapidly change; large tracts will annually pass under the transforming process of settlement; already the vanguard of the mighty hosts yet to come has entered

MR. ROYAL.

the field and on the prairies of the Great Lone Land so lately unknown, and still so indefinitely known ; there is

—“the tread of pioneers,  
Of nations yet to be,  
The first low wash of waves, where soon  
Shall roll a human sea.”

In discussing this question, I shall lay down at the outset one fundamental proposition, namely, that it is desirable in the interests of this country to secure the most rapid settlement that is possible of the public lands. The possession of a vast wilderness extending through many degrees of latitude and longitude, even though it has great capabilities and enormous undeveloped resources, adds neither to our wealth or our power as a state. We want this vast territory and its immense resources developed ; we want its prairies converted into farms and dotted with cities, towns and villages ; we want this region traversed by railways as rapidly as possible ; we want to see its productions flowing in vast and ever increasing volume along our commercial routes, giving employment to our railways and our lake and ocean marine. When all this is realised, our great North-West will have become an element of greatness and strength to Canada ; and our policy should be shaped with a view of hastening, in the most rapid possible manner, the development which we desire. Now, if this fundamental proposition be correct, and I believe it cannot be controverted, we must bear in mind that we have a rival on the south of us, through whose territory the tide of emigration seeking our North-West must pass, and emigrants, while passing through to the North-West, will have laid before them all the advantages offered by our neighbours, as an inducement for emigrants to settle on their lands. If we take into consideration the significance of this fact, I should proceed to draw the obvious conclusion that we must offer inducements equal, nay, even superior, to those offered by the United States ; if not, we cannot expect to secure any considerable portion of the emigration. Now, Sir, the question is, does the policy of the Government, do the land regulations emanating from the Department presided over by the right hon. the First Minister, offer inducements to emigrants superior to those offered by the United States ? I answer that

they do not. The land regulations now in force are based upon resolutions of this House passed on the 12th of May last. By these resolutions it was provided that 100,000,000 acres of public land in the North-West should be set apart for railway purposes, that these lands should be vested in a Commission, and that the Imperial Government should be represented upon the Commission. The resolution providing for a Commission has not been carried into effect. The resolution also provided that the lands should be set apart in a belt twenty miles wide upon each side of the Railway, but that lands might be taken elsewhere if the lands within this forty mile belt were not of fair average quality. The authority granted by this clause has been made to cover not a belt forty miles in width, but one 220 miles in width in the best portion of the North-West. The resolutions provided that such lands were to be sold by the Commissioners at not less than \$2 per acre, the price to be fixed by the Governor-in-Council. I am aware it will be held that the average price at which the lands are offered is more than \$2 an acre, and that, therefore, the provisions of the resolutions are complied with, but I think the language is very explicit, and that we are warranted in construing it to mean that the minimum price should be \$2 an acre. If that construction is true, the provisions of the resolution have been violated, because the land in two belts each fifty miles in width on each side of the line is offered for sale at \$1 per acre. The regulations were issued on the 9th of July and were to go into force on the 1st of August. Pending the final adoption of the route for the Canadian Pacific Railway, the Government proceeded to lay down an assumed route passing to the south of Lake Manitoba, and projected as far west as the confluence of the Shell and Assiniboine rivers, and the aggregate width of the belt of land reserved is 220 miles. This is sub-divided into five belts, upon each side of the assumed line. The first, Belt A, is five miles in width on each side of the assumed line ; Belt B is fifteen miles in width on either side ; Belt C, twenty miles ; Belt D, twenty miles ; and Belt E, fifty miles. No portion of Belt A was open for homestead or pre-emption, and the price of the railway reserve lands was fixed at \$6 an acre. In all

the townships of the various belts sections 11 and 29 were reserved for school purposes and sections 8 and 26 comprised the Hudson's Bay Company's reserve. Each township comprises thirty-six sections. In Belt B, sixteen of the even-numbered sections were reserved for homestead settlement and preemption, eighty acres being allowed for each homestead and preemption claim; and the sixteen odd numbered sections were reserved for railway purposes. The price of homestead and preemption lands was fixed at \$2.50 an acre; that of the railway lands at \$5 per acre. In Belt C, the sixteen even-numbered sections were reserved for homestead and preemption, and the sixteen odd-numbered sections for railway purposes. The price of the former was fixed at \$2.50, and the latter at \$3.50 per acre. In Belt D, the sixteen even-numbered sections were reserved for homesteads and preemption, and the sixteen odd-numbered sections for railway purposes, and the price per acre of both was fixed at \$2. In Belt E, the reservations were the same, and the price fixed for each was \$1 per acre. The terms of sale were for railway lands one-tenth down, and the balance in nine equal annual instalments, with interest, annually, at 6 per cent; for homestead and preemption lands, four-tenths at the expiration of three years, and the balance in six equal annual instalments at 6 per cent interest. The effect of those regulations, which proposed to place between the homestead settler and the Railway, an unoccupied belt of land of five miles in width, and which give him only one-half the amount of land for a homestead claim that he could procure in the United States—regulations by which he was made to pay a higher price for preemption or railway lands in Belt B, C and D, than the Government of that country charged for similarly situated lands—was to send intending settlers to Dakota and other American territories. This effect, moreover, was so palpable as to cause the Government to change the regulations within two and a-half months from the time they went into effect. On the 14th October, new regulations were issued, under which the assumed location of the line remained the same, as well as the location, number and width of the respective belts, but the regulations changed the conditions with reference to

Belt A, by permitting homestead settlement and preemption claims to the same extent and under the same conditions as in the other belts. By these regulations sixteen even-numbered sections in the townships were reserved for homestead settlement and preemption, and sixteen odd numbered sections for railway purposes. A change was also made in the price. The price in Belts A, B, C, of homestead and preemption lands, was fixed at \$2.50 per acre; in Belt D, \$2 per acre, and in Belt E, \$1 per acre. The price of railway lands was, in Belt A, \$5; Belt B, \$4; Belt C, \$3; Belt D, \$2, and in Belt E, \$1 per acre. The terms of payment remained the same. The regulations of October 14th were made retroactive in one respect, to the advantage of speculative purchasers or purchasers of railway lands. The retroactive clause is as follows:—

“9. These provisions shall be retroactive so far as relates to any and all entries of Homestead and Preemption Lands, or sales of Railway Lands obtained or made under the Regulations of the 9th of July, hereby superseded; any payments made in excess of the rate hereby fixed shall be credited on account of sales of such lands.”

Now, no changes were made in the prices of preemption lands, the only change in that regulation being that Belt A was open to preemption. But changes were made in three belts, in the prices of railway lands, the price in Belt A having been reduced \$1 per acre, the price in Belt B, \$1 per acre, and the price in Belt C, 50c. per acre, and those changes were made retroactive, to the advantage of speculators who had purchased previous to the issue of the regulations of October 14. A brief recapitulation of the terms and conditions of the regulations of October 14th presents these salient points: The amount reserved for railway purposes in the different townships of all the belts was sixteen sections in each; the amount available for homestead settlement in each township was eight sections out of thirty-six, and the amount available for preemption was eight sections out of thirty-six. The amount available as a homestead to each settler was 160 acres, instead of 80, as under the previous regulations; and the amount available for preemption in each township of each belt was 160 acres to each settler, instead of

80 acres, as under the previous regulations; and the highest possible number of homestead grants in each township—providing the whole was arable land, and that the alternate sections in no case fall on lakes, swamps or muskegs, was thirty-two. If the intention of my right hon. friend the Minister of the Interior had been to locate the lands granted and set apart in each township for homestead settlement, in such a manner as was calculated to put the greatest possible amount of obstacles in the way of their settlement; if his object had been to make it as little desirable as possible to settle on the homestead reserve of the North-West, then the regulations adopted are eminently well designed to secure that result. But, if, on the contrary, his object has been to secure the rapid settlement of the unoccupied lands in the North-West, his policy will need revision. I hold in my hands a diagram showing the mode and manner in which thirty-six sections, comprising each township, are divided, and I defy human ingenuity to take eight sections out of the thirty-six, in a manner securing a more perfect degree of isolation to each homestead settler than is secured by these regulations. In the first tier of six sections are three half-sections set apart for homestead settlement, and each half-section is separate from its fellow half-sections by an intervening space of one mile. In the second tier, one mile in width and six in length, are two half-sections; in the third tier, are three half-sections; in the fourth, three; in the fifth, two, and in the sixth three half-sections out of the six sections in each tier. Now, let us examine for a moment what will be the condition of the homestead settlers in the North-West taking up homestead claims, where the utmost number will be thirty-two settlers in a township six miles square. On an average four or five of those half-sections will prove to be worthless, and will not be occupied. Suppose the whole number occupied, we have, under those circumstances, in an entire township, not enough homestead settlers to form an average school district. Each settler will be called upon to construct and keep open, on an average, one and a-half mile of road—an amount equal to an ordinary road beat in Ontario. We shall have those settlers compelled to travel those

great distances if they wish to go to a market, a mill, or a blacksmith's shop. Then, what is their prospect in regard to Church accommodation and Church privileges? The whole population of a township would not make an ordinary congregation. It will be their fate to suffer from isolation, the want of social intercourse, and the want of school and Church privileges. The conditions on which those homesteads are granted are certain to exclude the very class of settlers wanted in the North-West. It has been said by some author that "peace has its victories no less renowned than war." Some twenty years ago, when the shadow of a great national calamity was creeping over the United States, in the Congress of that country, a Southern orator threatened that, in case the Republican candidate was elected President, the South would close the Mississippi to the North-West; and a Northern member retorted that, when the South did that, the North-West would hew a path to the Gulf with the sword. The time came when the threat was carried into effect and when the prediction was fulfilled. The path to the Gulf was hewn with the sword—it was a broad path, marked by the havoc and desolation of war, but, when the people whose armies marched down to the Gulf and to the sea wish to point to their brightest achievements, they do not point to Fort Donaldson, Pittsburg Landing, Vicksburg, Chickamauga, or Missionary bridge, but to the victories of peace—to the settlement of that vast wilderness of the West within the life-time of men now living, and it is on that theatre that the most dazzling achievements of the Anglo-Saxon race have been obtained within the memory of living men. Ohio, Michigan, Indiana, Illinois, Wisconsin, Iowa, Minnesota having been won from the wilderness. All those great commonwealths have grown to their present dimensions, from the foundation in this period; and, when we look over those prairies now teeming with life and activity, where the most advanced form of civilisation has been developed, when we remember that this lately reclaimed region has cities containing half a million inhabitants, and hundreds of minor cities, towns and villages; that it has more than 30,000 miles of railway; that its population

numbers nearly 14,000,000, and that the products of its fruitful fields glut the avenues of commerce, and are sufficient to feed millions in the seaboard States and cities, and tens of millions in Europe, we can realise the importance of the changes enacted within the last fifty years; and, if we scan this field closely, one object will loom up high in importance above all others—that object; that character—is the pioneer. It was before his advance that barbarism and desolation gave way. He made the first inroads upon the wilderness, and it was only in his path that all the mighty forces of civilisation could follow. They never could or did precede him, and, although he is rough, untutored, uncultured, and has little idea of the importance of the rôle he plays in the mighty drama of progress, yet he has been the central figure; his services could not be dispensed with, but were in the highest degree necessary and essential. He has finished his task in what were the North-West Territories of the United States, and is waiting for new fields to conquer. My right hon. friend can have his services. He is ready to carry the star of empire westward once more, and lend his assistance in building up vast commonwealths in the present wilderness of our own North-West. But he is not ready to render his services on the terms we offer. He wants different conditions, which, if my right hon. friend is a statesman, he will grant; for it is essential to the growth and prosperity of the Dominion that the services of this important class should be obtained. The Resolutions I am about to offer, do not affirm that the system of homestead settlement should be more extended than it is. But I believe, as an abstract principle, that the system might be, and ought to be, very greatly extended. In fact, I believe that the country would derive vastly greater benefit from the settlement of its wild, waste lands, even if they were given away, than it would from the revenue derived from their sale, if that revenue is secured at the expense of retarding the settlement of the country. Of course there are various descriptions of public lands. This system could not be applied to mineral lands, pasture lands, to lands that require irrigation at heavy expense, or to timber

lands; but it could and should be applied to the arable lands of the Dominion, in my opinion. We are called on, for the first time, to deal with this question. But we may avail ourselves of the experience of the nations that have dealt with it, and have had ample experience as to the best mode of the management and disposal of the public lands; and, if we take advantage of the experience of the United States, we may learn many useful lessons. That country first commenced the system of selling public lands on credit. They speedily abandoned the system for very good reasons, which my right hon. friend might find it useful to study. For fifty years, the system of selling lands in the United States went on without any agitation springing up with reference to the propriety of introducing a policy of granting homesteads. But a party at last took up the homestead principle, and advocated the propriety of throwing open all the public lands of the United States to actual settlers, as a free gift, the condition being occupancy and cultivation, and after some years of agitation, that proposal became law in 1862. That law has had an ample trial. The experience of the United States, acquired under the operation of the homestead law, should, by this time, enable them to judge very justly as to the propriety of continuing that system. Recently, Congress appointed a Commission, charged with the express duty of examining into the entire question of the management of the public lands. This Commission reported a few days ago, and its report is worthy of the consideration of my right hon. friend. The Committee recommend the division of the lands into arable, irrigable, pasture, timber, and mineral lands, with special regulations for the management and disposition of each class. They recommend, besides, the absolute abolition of the preemption system, holding that, in practice, it has enabled settlers on homesteads to double the quantity of land that it was the intention of the Government they should occupy. It recommends also the absolute reservation of all arable land for homestead settlement, and the formation of colonies, not exacting as a condition that the settler should settle on the lands at once, but permitting the formation of colonies and the cultivation of lands with-

out residence upon them. I think I may safely urge upon the attention of the Premier the three recommendations of this Committee. First, with reference to the absolute reserval of arable lands for homesteads; second, with reference to the abolition of preemption; and, third, with reference to the permission to form colonies instead of settling upon lands. It is very easy to form exaggerated opinions or estimates as to the value of the public domain. In the United States, it has been a common practice to estimate their public lands as worth a fabulous sum, a value as high as \$1,000,000,000 has been placed upon them. Commencing in 1796, I find statistics which gave a very correct idea of the actual money value of the public domain. In the United States, there has been surveyed up to the 30th June last, 734,501,236 acres, and there remained, of the public domain, something over 700,000,000 acres exclusive of Alaska. The total amount received for lands sold from 1796 till the 30th June, 1879, was \$204,547,812. If we deduct the expense of management, probably not far from 15 per cent., but let us place it at 10 per cent., it gives an average of \$2,216,707 annually. Now \$44,338,120, capitalised in 1796 at 5 per cent., or \$55,417,650, capitalised at 4 per cent. would have represented to the United States the value of its public domain up to this time. Would it not have been better to have made no attempt to secure revenue from the public lands, and to have opened up the public domain to free settlement from the commencement? Would it not have facilitated settlement, and earlier pushed it westwards, and would not the result have been a vastly greater gain through the earlier development of the country, than the amount of money obtained for those lands?

SIR JOHN A. MACDONALD: Will the hon. gentleman add to the amount received by the United States, the amount received by the different railways for the lands given them and sold by them?

MR. CHARLTON: I will give my right hon. friend the fullest information on that point, to which I was coming. So much for the assumed value of the public domain. I have shown that, in the United States, the sales of public lands realised annually only a sum equal to 4 per cent. on \$55,000,000. My object is to show that

we are very likely to fall into an error in the assumption we make as to the value of our public domain, if we adhere to the present policy of selling our lands. I will now proceed to say something about the railway grants of the United States, and, before entering on this branch, I may say that the amount set apart for the Canadian Pacific Railway, 100,000,000 acres, is entirely out of proportion to the amount of land granted by the United States to any of their railways. The highest land grant received by any American road was that to the Northern Pacific, which was 47,000,000 acres. Yet the conditions of this grant were that the road should be absolutely restricted to a certain belt and should take alternate sections, irrespective of the quality of the land. It might be arable land, it might be the bad land of Dakota, or upon the alkali plains of Montana; it might be in the heart of the Rocky Mountains, or it might be land among the mountains of Washington Territory. The railway had a belt, and in that belt it had to take alternate sections, and it has been estimated that, out of the total grant of 47,000,000 acres, the road would not realise more than 15,000,000 acres of good arable land. I do not vouch for the accuracy of that estimate, but it is one that has been made. Now, by the provisions of these resolutions more than double the amount of land is set apart for the construction of the Canadian Pacific Railway than was set apart for the Northern Pacific, and the terms of the resolutions permit the Government, in case the land is not of fair average quality, to extend their belts; and what have they done? Why, they have stretched a twenty mile belt, as provided by the resolutions of the House, on each side of the railway to 110 miles. They have taken the resolution which gave them forty miles and have extended it so that it covers 220 miles in the best part of the North-West. They intend to get, as nearly as possible, 100,000,000 acres of arable land. The total amount of land granted, up to 1876, in the United States, was 215,203,807 acres. The roads were absolutely restricted to alternate sections in the belt over which these grants extended, and these grants invariably covered a greater or less amount of land than had previously

been settled, so that the road in no case realised the amount of land covered by the grants. A careful estimate renders it probable that, out of the amount of grants I have named, the roads will realise 187,785,853 acres. Now, of this land, at the time I have mentioned, there had been certified or patented 42,000,000 acres. Of this land there was granted to the Pacific Railway, and trunk lines, and lines upon the Pacific slope, all but about 55,717,000. Of the 55,000,000 acres granted to other roads, it was estimated they would receive 37,500,000. Now, these grants have been made to aid and promote the construction of some eighty-three railways. Many of these lines were of great length on the Pacific slope. This amount of land granted had led to the construction and completion, at the expiration of 1876, of 13,544 miles of railway. There are, besides this, 10,000 miles more, that are either to be completed before the lands are granted to the road, or the lands will lapse to the Government; so that these grants were made for the construction of some 23,000 miles of road, while it is proposed in our own case to grant 100,000,000 acres of land for the construction of one line of road. With regard to the policy of the United States in granting the lands, a great many opinions are held. By some it is believed that the policy was a faulty one, that the country would have been supplied with roads as rapidly as the wants of the population required without land grants at all. But there can be no question that the policy of granting the lands did lead to a rapid construction of the railway lines that were then, or would be ultimately, needed, and that the settlement of the country was, to a considerable extent, promoted. There can be no question either that, in very many cases, these land grants, although so small, as compared with the grant that is proposed to be given to our Canadian Pacific Railway, were of an inordinate amount. There can be no doubt that, through the manipulations of the lobby and rings, Congress was induced to vote land grants to railways vastly in excess of the requirements of those roads. But, upon the whole, it may justly be held that their land grant policy was a wise one, and that the country has received value for the land granted to these railway corpor-

ations. I may say, in justice to the policy of the right hon. gentleman, that it does not perhaps matter whether the amount of land reserved for railway purposes be excessive or not, so long as the Government intend to build the road. The matter is in a different position from what it would be if we were dealing with a company who were to receive the land. It matters little whether the land reserve is 50, or 100 million acres, if the Government is to build the road; but it does matter what the policy of the Government is with reference to the disposal of these lands. It does matter whether the Government itself is to reap the advantage in enhanced value of lands which is to result from this vast expenditure of capital in building the Railway, or whether the Government is to allow somebody else to reap that advantage at its expense. Now, the Government, as the regulations stand at the present moment, have so arranged this matter as inevitably to play into the hands of speculators, as to throw away voluntarily every advantage that ought to accrue to it, if these lands are expected to recoup the expenditure of this vast sum of money. By the regulations allowing a man to buy land and pay one-tenth down, and the balance in nine annual equal instalments, what do we have? Why, we have in Belt A a regulation which permits the speculator to obtain the control of lands contiguous to the roads for 50c. an acre. In Belt B he may obtain control of this land at 40c. an acre; in Belt C, twenty miles wide on each side of the road, at 30c. an acre; in Belt D, twenty miles in width on each side of the road, at 20c. an acre; and in Belt E, fifty miles in width on each side of the road, at 10c. an acre; at these rates of payment, in cash, in the respective belts, the speculator can obtain control sixteen sections in every township of thirty-six sections in that broad belt 220 miles wide, and in a portion of that belt, 100 miles wide, the speculator can obtain control of sixteen sections out of every thirty-six for 10c. per acre. The Government could only have carried its liberality to speculators further by giving the control of these \$1 lands without any payment down. Now, what is likely to be the result of this policy of the Government, in offering

these lands upon credit for this small sum down, upon so long terms, and in unlimited quantities? I have in my hand a bill, introduced into this House to organise a company in which three hon. members of this House are joint incorporators with other gentlemen, and entitled: An Act to incorporate the North-West Colonisation Land Company. The Company is to have a capital of \$1,000,000, and they are to operate in these lands which the Government is offering for the payment of one-tenth down. Among their powers the Company will purchase lands and hold the same for a period not exceeding twenty-five years, and can sell the same in whole or in parcels and on such terms as may be agreed upon. Do any of my hearers know anything about the operations of the Canada Company in Ontario? Are they aware of the character of the operations of this Company, so far as they affect the interests of settlers in Canada? Are they aware of the odour in which that Company is held by the honest yeomanry of Ontario? Here is a proposal to establish something fully as bad as the Canada Company. I hold in my hand the prospectus of another Company, entitled: The Scottish, Ontario and Manitoba Land Company, with a capital of £500,000 sterling, and what does this Company propose to do? It proposes to operate in the lands that my right hon. friend is offering for sale at 10c. an acre, cash down, and the balance in payments that may be made or may not. They propose to purchase land in the newer districts, particularly Manitoba and the North-West territories, with the view of holding it until, through the settlement of the country, these districts are fully developed. Why, the Canada Company will be thrown entirely into the shade. These are but the first batch of schemes of this kind, and to show what individuals' operations are, I will read you a letter addressed to an hon. member of this House, written by a gentleman living in Manitoba. I presume it is a specimen of many others. In this letter the writer asks how he may obtain early information as to lands about to be brought into market in the Turtle Mountain district, which are in Belt E, and will be sold at \$1. He informs my hon. friend, the recipient of the letter, that, within five years,

these lands will be worth from \$7 to \$10 per acre, and that \$30,000 are deposited in the Ontario Bank, Winnipeg, awaiting speculative investment in these lands—enough to secure 300,000 acres. And he says very significantly: "I would advise you to invest in this thing yourself." He concludes by remarking that he intends to locate 1,500 to 2,000 acres. Well, Sir, what do these things indicate? What is to be the result of these unheard-of facilities offered for speculation? The result will be that a vast proportion of these railway lands will pass into the hands of speculators. Now, I presume my right hon. friend will tell us that that evil will correct itself. I presume that we shall be told that these persons purchasing the land, and holding it for speculative purposes in the North-West, will speedily be compelled to relinquish that line of action through the operation of non-resident taxation. I have no doubt that, when township organisations are effected in that country, when thirty or forty settlers have proceeded to form a township organisation and find themselves surrounded in every direction by the lands of speculating non-residents, whose operations are retarding the growth of the country, very likely the lands of the latter will be taxed heavily. Such things have come under my own observation in the United States. I have known cases there where school-houses have been built where there was no school population; I have known where roads and bridges were built at a cost to the taxpayers four times as great as their actual cost. I have known where rascality has been perpetrated, and onerous taxes inflicted upon non-residents for the purpose of forcing them to sell their lands. Likely such taxation will be resorted to in our own case, but I know further that such a state of things is productive of the gravest consequences. It saps the foundations of political morality. I hold it would be very difficult to say how large a proportion of the political rascality that prevails in the West originates in the very state of things. The resident land holder suffers from high taxation as well as the non-resident, and I think it is a sad commentary on the wisdom of the Government that they propose to remedy one evil by introducing another. It would



be much better to keep out the non-resident speculative land-holders than to rely upon remedying that evil by inflicting upon them an unjust taxation. With reference to this credit system the consequences cannot be otherwise than vicious. It has been a source of difficulty, I venture to say, to every Government that has had any experience with reference to the credit sales of land; the recovery into the Treasury of the amount for which such lands were sold has uniformly been a most difficult matter. But in this case the difficulties of the matter are certain to be enhanced from various causes. Sales will doubtless be made to an enormous extent. The Government will be subjected to vast additional expenses by the appointment of an army of clerks to keep the accounts, and perhaps my hon. friend will not consider that a disadvantage, as it will give him additional patronage, but it will increase the expenses of the Government and diminish the nett results from the sale of those lands. My right hon. friend must be well aware, because he does not expect to be always at the head of affairs, that the time will come when the combination of those interested will bring to bear great political influence on the Government of this country for the purpose of obtaining a reduction of the amount they may owe to the Government, and we might not always have so incorruptible a First Minister as now, and the time may come, when these influences will produce their legitimate effects, which are greatly to be dreaded. But the viciousness of the system is enhanced by the fact that it works to the detriment of the settler. The speculator and the settler are brought into direct competition, and the speculator has every advantage in his favour. We will suppose a tract is being surveyed and about to be brought into the market. The speculator has superior means and is probably possessed of superior intelligence as compared with the settler. By means at his command, he keeps posted day by day as to the character of the lands which are being surveyed. He has the data in his possession, and the moment these lands are brought into the market he, knows which are the desirable sections. He is there on the spot to purchase them. He is ahead of the settler in ninety-nine cases

out of a hundred. Not only does he have this advantage, but he will have other advantages. If necessary, by being in collusion with the land agents, it will be an easy matter to procure the withdrawal from the market on various pretexts of certain lands until the speculator can examine those lands and ascertain whether he wishes to purchase them or not. This has been so in the United States, and it will be so in the North-West, and the speculator will drive the settler to the wall and obtain the most desirable locations when the lands are brought into market. The profit to be derived from the Government sales of these lands goes into the wrong pocket. Neither the Government nor the settler gets the advantage from the enhanced value of these lands. One of the most serious features in the case is that the settlement of the country will be seriously retarded. Such has always been the case, and ever will be the case, where large speculative transactions in land take place. Let me call the attention of my right hon. friend to the great desirableness and urgent necessity of procuring, if possible, the more rapid and healthful growth of this country. It is a sad thing to see this country falling, year by year, more, and still further behind the United States when the disparity between their population and resources are already so great. We want, if possible, to introduce a system that will diminish this disparity. Now, from 1861 to 1871 the increase of population in the Dominion of Canada was a trifle less than 13 per cent. During the corresponding decade in the United States, although the country had passed through an exhausting civil war, it increased in population 22.65 per cent., almost double that of Canada. I venture to say that, in the decade which is just ending, the increase of population in the United States will be at least double the ratio in Canada. When these facts stare us in the face, the duty rests upon the Government to provide, by every means in its power, for the more rapid development of the resources of Canada, and this policy is calculated to produce results exactly the reverse. The Government is building a railway in the North-West, and it stands in the position of a railway corporation, and the Government naturally wants business for that

road after it is built. It wants it to be a productive property, and does not want it to be like the Intercolonial, a dead weight upon the country, run at a greater outlay than the amount of the revenues of the road. What course does the Government intend to take in order to provide business for the road. It certainly will not do it by running it through a wilderness unoccupied by settlers. They want to push it through settled lands, and offer inducements for the actual settlement of the country, and thereby secure a business for the road which would be of infinitely greater advantage than to secure a paltry sum on speculative land sales, leaving the road an unproductive enterprise. The United States Railway Corporations understand their interests. They receive grants of land and endeavour, by every means in their power, to secure the settlement of those lands. They are chary of selling them to land speculators and are exceedingly anxious to sell them to actual settlers, because they know that, in addition to getting the price for their land, they are getting business for the road by developing the country. A large tenant class is an undesirable class in a country like this. We do not want a condition of things similar to that which existed in the feudal ages. The tenant has not a love of home, because he has no home. He has no hearthstone, if he does not own the acres he tills. He cannot have that love of country in its highest sense which the freeholder has. It is unwise to adopt a policy that would encourage and lead to the creation of a large tenant class. On the contrary, Sir, the freeholder is the natural upholder and supporter of free institutions. It may be desired in a monarchy—especially in an absolute monarchy—to have a large tenant class, but it is in the highest degree desirable to have a large freeholder class in this country; it is the class that naturally upholds free institutions. We do not want in this country a population like the fellah of Egypt, who toils beneath an African sun and is content if the exactions of the lord of the soil leave for him his scanty rations of black bread and onions. We want no class similar to the Russian serf, now raised to the condition of a debased peasant, who never in his stolid ignorance for a moment

dreams it possible that the Almighty designed the broad acres of this beautiful earth for the free homes of free men. We want no state of things similar to that existing in the land for which we lately voted aid, where a non-resident aristocracy draws from the country its very life blood, and saps the springs of its prosperity and power. We want in this country no such state of things as exists in England, where a proud aristocracy owns the greater part of the soil, where the yeoman who cultivates the soil cannot be to any extent, the owner of that soil. We want a policy which will make the public domain in this country the people's heritage. We want to declare our belief that it was designed by the Almighty for the homes of free men, rather than for the stock-in-trade of speculators and land-sharks. If we do not adopt this policy, the least evils that will ensue will be that the legitimate occupiers of the soil will pay vastly more for that soil than the Government receives. The public lands should be considered by my right hon. friend as a sacred trust to be administered for the benefit of the population in this country, and for the benefit of posterity; and he should be governed in the management of this matter by this motto: "The greatest good for the greatest number." He should not play into the hands of those who design to absorb vast tracts in this land for speculative purposes, but he should by every legitimate method in his power discourage the purchase of this land in large quantities. He should allow no middleman to go between the cultivator of the soil and himself in his transactions. We have, in the Province of Ontario, a class of farmers who are organised for the purpose of dispensing with the services of middlemen in the purchase of the ordinary productions that they require, and I would advise, if my voice should reach these organisations, that they should take into consideration the importance of dispensing with the services of middlemen, whose operations are much more likely to prove inimical to their interests than the operations of ordinary middlemen who deal in goods. I would advise these organisations to advise my right hon. friend that the operations of land speculators must be discouraged and discountenanced, and

that the public domain of Canada must be so administered, so managed that great landlords should not possess vast tracts of land. Occupancy should be the unvarying condition of sale; occupancy as to time and as to amount of land, such as reason and experience might dictate. The nation's wealth is not increased by the manipulation of stock gamblers. These men may pass money from one pocket to another; one may be robbed, another may be enriched, but the aggregate wealth of the country by their operations is not increased one dollar. The wealth of the country is not increased by the operations of brokers on the grain exchange. The services of these men may be in a measure necessary to move the crops of the country, but, when they go beyond that and gamble in grain, they do no good to the country. But the operations of the stock gambler, the operations of the grain gambler are innocent in their consequences compared with the operations of the land gambler; the first trade in something which is a creation of men, the last trade is something which is the gift of God. They might just as well try to get a corner upon air, or a corner upon sunshine, or a corner upon water, or anything else essential to man's happiness, as a corner upon land. Their operations should be discouraged in every possible mode, for they are the enemies of humanity. The party who does deserve our kind and careful consideration is the toiler, whether he be a worker in the factory, the mine, or the forest. Wherever we have the toiler, there we have in process of operation an agency that is adding to the aggregate of the wealth possessed by the human race. It is the toiler that deserves our consideration. That land is a happy land where the majority of its population belong to the yeomanry class who are owners of the soil they till. The country, the majority of whose population belong to this class, is secure from the tides of Socialism and Communism, that combat against and threaten to overturn the Christian state and the Christian family, and may defy their assault. The state that has a majority of its population belonging to this class has made secure the foundation for its national prosperity in their thrift and industry. The state that has a majority belonging to this class has a class which will ever be

ready to respond to calls of patriotism for the defence of our homes. The state that has a majority belonging to this class may be annihilated, but never can be enslaved. In looking around me, I see the representatives of the people of this Dominion. They are sent here by their constituents to guard their interests, but I am certain our constituents expect more than they receive. They have a right to expect of us that, in dealing with a question like this, we shall deal with that question unbiassed by party considerations. They have a right to expect from us that, in dealing with this momentous question, we shall be governed by what reason teaches us is for the interest of the great mass of the people of this country. Should we not for a moment forget the bickerings, the animosities and the bitterness engendered by our petty ambitions, and rise superior to the chicanery and devious ways of modern political methods? We shall speedily leave this place. Just before me is a vacant chair (Mr. Holton's) that reminds us every day that the time will come when we shall lay down our burdens and relinquish our task. When that time comes, we will drop out of the ranks of life, and the world will scarcely pause to see who is gone. There may be a slight ripple in the current when we sink beneath the stream, but the flood of the ages will sweep on utterly oblivious that we existed, and that we are gone. But, Sir, our acts will live after us. Our acts will tell upon the interests of this country throughout all the ages of its history, and this consideration should deeply impress us. The horizon of this country may be bright with promise, but, if these anticipations are to be realised, we must discharge our duty with some degree of faithfulness, and, in dealing with questions such as this, we must endeavour to promote the true interest of this country. We cannot, of course, obtain an exact knowledge of the future, but the imagination may make excursions down its shadowy vista, and come back with impressions that may be pretty accurate outlines of future realisation. There may come to our ears, if we listen in a prophetic spirit, the sounds of distant and future millions toiling in our great North-West, each individual making puny additions to mighty aggregates of human endea-

ours, and human accomplishments. The interests of these future millions are in a sense in our keeping to-day. With these considerations weighing upon us, I hold that we should ever remember that the consequences of any mistakes we may make, whether accidentally or intentionally, being so far reaching, we should study carefully the ground we are treading; that we should endeavour to arrive at a just and dispassionate conclusion, and that we should remember that no duty can be more momentous in its consequences than the duty of providing a land policy that will be in the interests of the yeomanry of Canada present and future. I move, Mr. Speaker, the following resolutions:—

1. *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 the area which can be reasonably occupied by a 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.

2. *Resolved*, That, as, under the existing regulations respecting the disposal of public lands for the purposes of the Canadian Pacific Railway, large quantities of fertile lands are being offered for sale and sold to speculators at one dollar per acre, for one-tenth cash down, and the balance in nine equal annual instalments, with interest at 6 per centum per annum—terms which enable the speculator to obtain control of lands for a cash outlay of 10c. per acre; thereby not only in effect loaning to the speculator on the part of the Government, nine-tenths of the capital required for speculative investments, but giving rise, as experience shows, to great expense in the keeping of accounts, and to indefinite delays in the realisation of the stipulated price; that so long as the system of selling public lands to speculators without conditions of settlement, or restrictions as to quantity is continued, the price at which such lands are sold should be paid in full in cash, at the time of sale.

*Motion made and question proposed:*

That the House do now go into Committee of the Whole, to consider the said resolutions.—  
(*Mr. Charlton.*)

SIR JOHN A. MACDONALD: I have listened with great pleasure to the eloquent speech of my hon. friend. I have no doubt that all of those who have heard him must have admired the lofty

patriotic sentiments which he has uttered with so much fervour and so much fluency. I shall not attempt—it is out of my line altogether to attempt—the same course. As I cannot give the House as much eloquence as my hon. friend, I will try to give as much common sense. The point that struck me from the beginning is, that I could not learn from my hon. friend's speech exactly what his views were, as to the mode of disposing of the great domain that we have in the west. In the first place, the hon. gentleman says that we would do better by giving our lands away altogether to actual settlers; in the next place, he says that the terms are so hard and so severe that they will prevent emigrants from going to settle in that country, and that they will go to the United States; in the third place, he says we are giving the land away for next to nothing by charging so little for it, and giving parties ample opportunity to pay for it. The hon. gentleman does not point out what course he would advise us to adopt—whether he wishes us to give away the lands altogether to settlers, or whether he wishes us to sell them, on what terms, and at what prices, or whether he thinks we are too severe or too lavish in our terms. I cannot learn to which of the three modes of disposing of these lands his opinion inclines. We must consider that this is a complex question. I shall endeavour, in any remarks that I may make, not to go into any premature discussion as to the Pacific Railway Policy of the Government. That will arise more properly, and in an infinitely preferable manner, when the discussion arises on that point. But we cannot forget that this is a complex question, and one very difficult of solution. We know that the country has cost a great sum of money in the original purchase. It has cost us a large sum of money in preparing it for settlement. It has cost us a large sum of money in the construction of the Pacific Railway, as far as it has gone; and we have to take into consideration, not merely the settlement of the country, but the mode of carrying out the engagements of the Government, and of opening up and developing that country by railway, in such a manner, as not to oppress the inhabitants of the whole Dominion. We have got to keep that in view; and as

we have to keep that in view, the question is not so easy of solution as the hon. gentleman imagines. When that country was first bought it was in a great degree a wilderness; it was the universal opinion that we had no object after acquiring it. It was seen that the opening up of the western prairies could only be done by a railway system, and it was, therefore, necessary that we should, by the universal desire of the people of Canada, make the railway as speedily as possible, but at the same time, so as not to weigh down the energy or increase the taxation, unduly, of the people of the older Provinces. When it was proposed, in 1872, to build the Canada Pacific Railway, this Parliament—both sides of the House—unanimously adopted a policy which declared that the railway should not be undertaken as a Government enterprise, but by private aid on grants of land to such persons or companies as would undertake the work of building the railway, and by additional aid in money. These companies were to have additional grants of land, not to be given away, but to be sold by the companies, under the terms of the Railway Act of 1872, at prices to be settled upon between the Company and the Government. I believe that if this original policy had been carried out successfully, we should now have seen the railway stretching nearly across the continent, without any heavy burden being imposed upon the people of this country. However, there is no use in lamenting what is past. Suffice it to say, that that idea of building the railway by private enterprise was afterwards abandoned; and the Government which introduced that idea, and of which I was a member, made room for another Government, headed by my hon. friend from Lambton (Mr. Mackenzie), who also felt the same necessity of relieving the people of Canada—the olders settlers of the Dominion—from any heavy pecuniary burden, and of, in fact, carrying out the same policy as that enunciated and adopted by their predecessors. In the Canada Pacific Railway Act of 1879, introduced by the hon. gentleman, passed by Parliament, and now the law of the land, it was provided that contractors for the building of the line should receive a grant of \$30,000,000, and a land grant of 50,000,000 acres, at prices

to be agreed upon by the Government and the contractors. That policy was precisely the same as that of the Government which preceded it. In the original scheme of 1872, it was provided that a subsidy should be granted of \$30,000,000, and a grant of 50,000,000 acres of land made to any railway company which would undertake the construction of the road; but that this 50,000,000 acres should be laid out in alternate lots on either side of the line of railway, and in such a way that every second block should be reserved, that is, that another 50,000,000 acres should intersect, in alternate blocks, the 50,000,000 acres granted to the company undertaking the work, these alternate blocks being intended to be sold to settlers on terms that would ultimately recoup the \$30,000,000 subsidy. In the 1874 Bill it is provided that if the Government should find it more expedient to construct the work as a Government work instead of by the intervention of railway companies undertaking the work, they might make it a Government work; and that was the plan on which the work of building the railway from Lake Superior to Red River was undertaken, that is as a Government work. What the policy of the late Government would have been in carrying out the completion of the other portion of the railway we do not know, because we had not at the time they ceased to be a Government, got so far as to have any policy announced on the question; but when we came in, we decided to undertake it as a Government work, because the construction from Lake Superior to Red River was through a difficult country, expensive for surveying, and a very poor country, which would not make any adequate return for the expense; and as it was quite clear that the railway westward from Red River to the Rocky Mountains would run through a rich country, which would render the construction of the road more remunerative, the policy of this Government, became a humble imitation of that pursued by the American Government, and which receives the eulogy of the hon. gentlemen opposite. At the same time it should be stated, that although the plan of the American Government in railroad buildings is precisely the same as our own, still, wherever ours varies in prac-

tice to that of the American system, it is on the side of greater liberality. In making up our minds to undertake the work west of the Red River, as a Government work, we had regard, as I have intimated, to the system pursued by the American Government in constructing their railway lines. In the United States every alternate block is kept by the Government, and the other block is sold for the highest price. Then, Sir, the policy of my hon. friend, of giving the land away to actual settlers, is not the policy of the late Government or of the present Government; because when the late Government laid out the land running from Red River to Selkirk, and to the north of Lake Manitoba, they, by three separate Orders in Council, reserved all the land running along the railway excluding the emigrant altogether. The policy of the late Government, and that of the present Government, had in view the relief of the country at large from any undue burden of taxation in the construction of the railway and carrying it across the continent. The system adopted by the present Government, however, is complained of as far too liberal. We are told that we are far too lavish with these lands. I could not quite understand the hon. the mover of the resolution now before the House, whether he was in favour of preemption or not. The hon. gentleman called my attention to the report made by a Commission in the United States, in reference to doing away with preemptions altogether. I am not aware that the American Government have adopted that plan. I have reason, on the contrary, to believe they have not, from a telegram received from the Land Department at Washington, but that the system of preemption is, at this moment, as much in force as it ever was; and yet the hon. gentleman would have us adopt a plan less favourable to the emigrant, less favourable to the actual settler than the system existing in the United States. We are giving to every emigrant, every head of a family of eighteen years of age and upwards, who chooses to go and settle there, 160 acres of land; and, if he settles there for three years, not five years, he gets his deed for that 160 acres, and then he has a right to purchase another 160

acres adjoining at the prices mentioned in the regulations. I think that is the greatest inducement in the world. He gets his 160 acres free; he is raising his family—perhaps of boys—and he has another farm alongside of him; he gets his homestead for three years; he is not called upon to pay on his preemption until the fourth year, and then he pays an easy proportion. These are inducements and advantages that I would not like to see the settler deprived of. If we were to deprive him, then the charge that we offer less favourable terms than the United States offer, would be true. Now, the hon. gentleman says we have violated the spirit or the express terms of the resolutions of last Session in regard to the Pacific Railway. He says we have sold land at \$1 an acre, although the resolutions restricted the minimum price at \$2 an acre. But the hon. gentleman should remember that the resolutions of last Session provided that the land to be so dealt with should be within a belt, on each side of the line, of twenty miles, all the land outside of that was not railway land; and by the terms of the Dominion Lands Act, all lands are sold at \$1 an acre, not one acre of those lands comes within the terms of the resolutions of last Session. Now, the hon. gentleman says we should make actual occupation one of the conditions. I would ask the hon. gentleman, I would ask this House, who would go and buy land that he could not sell? The fact of selling in fee-simple is consistent only with the idea of making no such condition. We have reserved these lands for homestead purposes and for actual settlement, and for the purpose of building the railway; and for the purpose of relieving the people of Canada from the burden of taxation which the work would otherwise entail, we have offered every second lot at an upset price, so that the road may be eventually built without costing the people one single farthing which will not be recouped. I believe that land can be made productive under the terms of the resolution to complete the whole of that road, to open that immense country and give us a magnificent railway from sea to sea, without adding to the burdens of the people, or without causing any necessity for an increase of taxation. We can do it all by

the sale of the lands which we hold as a sacred trust for the purpose of defraying the whole expense of the construction of the Pacific Railway. So, Mr. Speaker, I can disabuse the mind of the country, or the minds of any of the hon. gentlemen who hear me, of any apprehensions that the construction of the Pacific Railway will be so burdensome as to be oppressive to the people, and discouraging to the future development, prosperity and growth of the Dominion. The hon. gentleman has stated that our terms in other respects were more generous than the terms of the United States. I may say that our surveys are conducted on the same principle as the surveys of the western territory of the United States. In that country, and in Canada, every even-numbered section is kept as a homestead section, and every odd-numbered section is kept as a railway lot. Then, here we keep two sections for the Hudson's Bay Company, and two sections for school purposes. The hon. gentleman drew a dreadful picture of the people being isolated, and not being able to have schools and churches in common; but we see schools and churches growing in the United States, on the same principle and same plan that we have adopted here. The only difference is, with regard to the man who goes to the North-West with only his strong arms and willing heart, is that he is offered much more favourable terms than the same class of settlers in the United States. We give him a homestead of 160 acres free, and he has the opportunity of securing 160 acres contiguous to his homestead at \$1 an acre, and he gets three years time in which he need not pay a farthing for that. This gives him the opportunity to break up his soil and raise his crops. But in the United States he has to pay \$2.50 for the same privilege the moment he goes on his land. He gets no credit there. He gets his 160 acres, and he must pay \$2.50 an acre in cash for his preemption claim. Even in the railway belt lying close to the railway where the farmer has the road passing his door, the preemption price is only \$2.50 in the most favourable locality; whereas in the United States no matter where the land may be, whether twenty, fifty or one hundred miles away from the railway, he must pay the exemption rate—the \$2.50 an acre directly he

takes up his claim. I would ask, Mr. Speaker, whether the terms of the United States are more favourable than our own. I think the answer is conclusively in favour of Canada. But then comes this great bug-a-boo of the speculator, who is going to take up the lands. The system is the same in the United States. The land speculator has got to pay cash, and that is a check to his imagination; but we give the purchaser the opportunity of paying, because we believe we will be able to sell the larger portion of those lands much more speedily and rapidly, so as to be able to recoup my hon. friend the Finance Minister the drafts upon his Treasury for building the Pacific Railway. It is of the greatest consequence that we should do that. It is the pledge made by the Parliament of 1872, the pledge made by the Parliament of 1874, and the pledge made by the Parliament of 1878, that this land should be utilised for building the railway; and, to use the language of the Act of 1874, the railway is to be built as rapidly as it can be done, so long as it does not unduly increase the burdens of the people.

MR. BLAKE: It says, "without increasing the existing rate of taxation."

SIR JOHN A. MACDONALD: The hon. gentleman is right. That is the language of the Act. The recital of the Bill is as follows:

"Whereas, the House of Commons of Canada resolved in the Session of the year one thousand eight hundred and seventy-one, that the said railway should be constructed and worked by private enterprise and not by the Dominion Government, and that the public aid to be given to secure its accomplishment should consist of such liberal grants of land and such subsidy in money or other aid, not increasing the then existing rate of taxation, as the Parliament of Canada should thereafter determine; And, whereas the Statute 35 Vic., cap. 71, was enacted in order to carry out the said agreement and resolution; but the enactments therein contained, have not been effectual for that purpose.

"And, whereas by the legislation of this present Session, in order to provide means for meeting the obligations of the Dominion, the rate of taxation has been raised much beyond that existing at the date of the said resolution; and, whereas it is proper to make provision for the construction of the said work as rapidly as the same can be accomplished without further raising the rate of taxation."

You see that the rate of taxation was raised in 1874, but not for the purpose of railway construction. It was done be-

fore the railway policy was commenced or before Parliament had announced any such policy for the purpose of meeting a number of existing obligations to which the faith of the Dominion was pledged. It was decided that the railway should go on as rapidly as can be done without increasing the rate of taxation. It is of importance that this road should be built. The hon. gentleman has told us that the rate of increase of population in 1860-61 was only 13 per cent. in the Dominion of Canada; whereas it was 22 per cent. in the United States. There are several reasons for that difference. In the first place, a large railway construction was going on in the western portion of that country, and was bringing a large population into the Great West. Large grants had been made to railways, which had the result of making those roads act as agents to bring settlers to their lands; and the hon. gentleman must admit that that was one of the great causes, while we had only an increase of 30 per cent. in our population, and they had an increase of 22 per cent. They had a protective system, and we had not.

MR. BLAKE: Whose fault was that?

SIR JOHN A. MACDONALD: We have gathered light, and we contend that in the next decade our 13 per cent. shall be equal to their 22 per cent. In order to say what we may fairly expect to get from the sale of these lands, I have caused an approximate estimate to be made, because all those estimates must be merely approximations, and we can only draw our conclusions from what we can learn from the experience of the United States. There are one or two postulates which I must ask the House to consider, because, if we admit them the rest is simply a matter of calculation. It is believed, from the best information we can get, that 20,000 people went into the North-West last year.

MR. BLAKE: There were not more than one-tenth of that number.

SIR JOHN A. MACDONALD: I can inform the hon. gentleman from the returns of the hon. the Minister of the Department of Agriculture, that 12,000 are known to have gone in, and, from the best information we have got, as many more went in that could not be counted, who were not under the supervision of that Department; but let us say

that 8,000 more went in, and that only makes the 20,000. If we are to judge from the reports we have heard, we may rely upon it that 50,000 people will go into that section of the country this year. We know that in the United States, when railways were about to be opened across the prairies in the various States and territories, a large influx could always be calculated upon, because there is always an increasing rush towards those lands which are being opened up by the construction of railways. We are told that 50,000 will come in, but let us put the number at 25,000, and I have been informed by everyone—and I have spoken to a great number of persons who have come from the North-West, and who have the best means of judging—that that estimate is ridiculously absurdly small.

MR. MACKENZIE: I suppose it was the same person who informed Lord Beaconsfield, who thought it was absurd.

SIR JOHN A. MACDONALD: Very likely. I would ask the hon. member for Lambton, if he does not really believe that number will go in.

MR. MACKENZIE: As the hon. gentleman has asked me a question, I will tell him that I do not believe so, nor do I believe that 20,000 went in last year. I think a large number will go, but not the number he stated.

SIR JOHN A. MACDONALD: Then the hon. gentleman is the first person that I have heard say that 25,000 was not altogether too small an estimate of the certain rush of emigration going to that country this year. That number, of course, includes the baby as well as the adult; it includes the whole population moving into the country. In ordinary cases the estimate is: the average family numbers five—the head of the family and four others. In the Western States the average is not so large, for obvious reasons; because so many young men go in without families to settle there, and the average is reduced to three instead of five. But in the future I cannot calculate upon such a low estimate, because if there is the rush estimated, families will move in there in larger numbers than in any previous year, as many have sent on their sons before them as pioneers. We have made an estimate of four to the family. It is a larger



average than has occurred hitherto in Canada or in the Western States. If, then, you take four to a family, we estimate that of the 25,000 or 24,000 that go there, 3,000 will be heads of families, occupying homesteads and preemption claims. Every man takes up his preemption claim. He gets his lot free and he looks forward to having an additional farm, from the preemption; and that is one great advantage of our system over the American system, where a man is obliged to pay cash down for the whole amount of his preemption claim. Then, we estimate that one-fourth of the adults, or 1,500, will become purchasers of railway lands—men coming from England, Ireland and Scotland, and some from the United States, who possess money. Notwithstanding the sneer of the hon. gentleman opposite, a great many Americans are going into that country. There is a large move about to take place from Pennsylvania into the North-West. As I stated, one-fourth of the 20,000 will buy railway lands. They have got money; and every man will take up his homestead and preemption claim and become a purchaser of railway lands as well. Probably another fourth will be labourers, men with families, but men who will not take up land. Some hold that that is too high an estimate, and that a mechanic will take up his lot and work it in such a way as to secure a title thereof; but in making this calculation, we are trying to keep within the bounds, rather than make a statement which would be considered excessive. I calculate that 25,000 people will go into our North-West this year; that 3,000 heads of families will take up free homesteads; that 1,500 will purchase railway lands, and 1,500 will not purchase any. That is a moderate calculation. If this estimate is admitted, then the rest of the problem is altogether a matter of figures. Of the railway lands, we calculate that the average purchase will be 320 acres for each head of a family. We then take the average price of the whole of the lands extending from the \$5 section, within five miles of the railway, to sixty or 100 miles away. The average price of the lands sold to the 1,500 purchasers would be \$3 an acre—this is greatly under the average. What then would be the result?

SIR JOHN A. MACDONALD.

MR. BLAKE: Over the whole belt—220 miles?

SIR JOHN A. MACDONALD: Yes. Take \$1, \$2.50, \$4 and \$5 per acre, and the average, \$3; admit we sell at those terms lands, in 1880, to the value of \$1,440,000, of which we shall receive one-tenth the price, or \$144,000, we should receive from the fees from the homestead and preemption grants \$60,000 more, making in all \$204,000 in cash. Then we calculate that, as 25,000 people would go in this year, we may add each year an increase of 5,000, so that we may expect 30,000 to go in next year. That is a very small percentage, if we look to the results from railway enterprise in the United States. We assume, therefore, an increase of 5,000 a year till 1890, and expect in that year 75,000 settlers in our North-West.

MR. BLAKE: Can you not make it another 10,000?

SIR JOHN A. MACDONALD: I think that is a very moderate estimate. On those figures, the estimate of the total cash revenue to be received for the lands, by 1890, is \$38,593,000.

MR. BLAKE: That is up to 1890.

SIR JOHN A. MACDONALD: Yes, and including 1890.

MR. BLAKE: That amount with interest.

SIR JOHN A. MACDONALD: We expect \$38,593,000, including simple interest for the lands sold in that period.

MR. BLAKE: What proportion is principal and what interest?

SIR JOHN A. MACDONALD: I cannot say. That will be the total sum received in cash to the end of 1890. But, besides, there will be all the instalments to come in after 1890, accruing yearly, so that the lands sold in 1890 will be one-tenth paid for nine years afterwards—for each year there will be an instalment of one-tenth paid. The actual value in 1890, of the preemption, up to that date, unpaid, will be \$16,440,000. The actual value of the railway lands sold up to that date will be \$16,272,000, making in all, \$32,712,000. If you add to that total, unpaid, the \$38,593,000 that will be paid in 1890, you get a grand total of \$71,305,000. Deduct from that the estimated cost of surveys for the ten years, \$2,000,000, and of the land officers, \$400,000, and you reduce it by \$2,400,000. Having shown

that the estimate of the number of settlers, if the land to be taken up, and if the average price, is not excessive, we find we shall have \$69,000,000 either of money in hand, or money for which we shall have the best security in the world—the land itself. The whole estimated cost of the railway, including surveys, and construction through the difficult as well as the prairie country, does not exceed, by the most excessive computation \$75,000,000—for the work from Lake Superior to the Pacific Ocean. I believe hon. gentlemen opposite will be surprised, yet, to find it built for less than \$75,000,000. It will not cost more in the most rigid calculation. Some gentlemen and newspapers have said that the Engineer-in-Chief is one of the most extravagant engineers possible. We can, therefore, place some reliance on his calculations. If we finish the road for \$75,000,000, and in the first ten years only sell half the lands we estimate, where will be the burden on the people? That would not make a very serious invasion into the very large tracts of land we should have still to sell. As the road progresses, the annual sales of land will more than be sufficient to meet all the possible cost of the railway. In addition to all that, we must remember we shall be pouring into that country an enormous population which, on a prairie soil, will rapidly become—not with the painful toil of the people of Ontario and Quebec, who have had to clear the forest—consumers of dutiable goods and contributors to the revenue. We shall be receiving a large revenue from that country altogether independent of the products of the lands. Where, then, is there any danger of this country being overridden by taxation, or being oppressed? There is none. I believe, under this scheme, we shall settle the country rapidly; that the proceeds of the sales of lands will meet our engagements, as the work progresses, including the claims for interest. I believe that the interest upon the railway expenditure can easily be defrayed without adding further to the taxation of the country.

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

#### After Recess.

SIR JOHN A. MACDONALD: When the House rose, at six o'clock, I was

speaking of the increase of population in the Western States. I hold in my hands a return showing the populations of several Western States in 1850, 1860, and 1870. My hon. friend from North Norfolk has called our attention to the fact that, during the last ten years, the United States were suffering from war, and the deprivation consequent on the war. The following is the populations of the several States at the periods named:—

	1850.	1860.	1870
Minnesota..	6,000	172,000	446,000
Iowa.....	192,000	674,000	1,190,000
Missouri...	594,000	1,064,000	1,721,000
Arkansas...	162,000	344,000	484,000
Nebraska...	nil	28,000	129,000
Kansas.....	nil	107,000	373,000
Illinois.....	851,000	1,711,000	2,539,000
Wisconsin..	305,000	775,000	1,064,000

The rate of progress in those States was most remarkable. And the causes of it were the rush of emigration to the United States, the opening up of the country by development and the railway policy of the United States Government, in granting liberal subsidies of land. Now, that country has been filled by emigration from the East, from Europe, and from the South, which was directed mainly to those States, and I hope and believe, and have every reason to expect, will flow into the North-West and Manitoba. The hon. gentleman asked me what proportion was interest in the calculation I made. The principal and interest are in the proportion of two-thirds and one-third. One of the objections which my hon. friend made to the policy of the Government was the opportunity it would give to speculators to get hold of large tracts of land, and to lock them up from settlement in view and with the hope of getting enhanced prices. Now, the same principle applied, I take it, to the United States. The United States Government, when they conveyed the alternate lots to the railway companies that they subsidised, made no conditions as to settlement. Those companies, we all know, made no conditions, and sold without condition upon receiving their set price. They could not do so, because it was their object, and they were successful in it, to get the highest price possible for their lands; and they sold their lands at \$1, \$3, \$5, \$7, even \$10 an acre; and in those places where there were mineral

lands and good locations for cities, towns and villages, they made enormous profits. There, indeed, was an opportunity of large speculation, and there, indeed, largespeculators succeeded in getting large tracts of land. We read of farms of 10,000, 20,000, and one large farm of 40,000 acres. Now, such an accumulation of land in a single hand cannot occur in the North-West under our regulations. By the wise provisions of these regulations, no man can get a large tract of land. In any one railway belt no one can get a continuous large plot. He cannot get a whole township, as the speculators have succeeded in getting in the United States. As I have explained, and as the regulations show, every alternate lot is held and sold—every alternate lot in the mile square which forms the township—the even numbers of 160 acres are kept for actual settlement, and the neighbouring 160 acres are kept for preemptive right of the individual settler, and can never be disposed of by him to anybody else, and he has the sole right of that preemption until he gets his deed, after having, for three years, improved his farm. So that no one can get any large tract of continuous land. But his next neighbour who buys a lot, is an actual settler, who is either attached to the soil with his interests in the advancement of the country, and is interested in the improvement of the country, and all his interests are opposed to those of the speculator, or the land owner merely for the sake of gain. What is the consequence? The consequence is plain. Municipal institutions have now been introduced into Manitoba. At first they only passed a permissive Bill, but now they have passed a compulsory Bill. They have divided the Province of Manitoba into twenty-eight town districts, and these are compelled, in the course of this summer, to adopt a municipal system, which is that of Ontario in principle. Every one of these districts is obliged to establish a municipal system with the organisation that obtains in Ontario, so that the people who own every second lot will have a direct interest in insisting upon, and in imposing a non-resident tax upon all speculators. The danger of large tracts of land getting into the hands of speculators is absolutely out of the

question. They cannot get them continuously in large blocks, and only in blocks of 640 acres. By no possibility can they get more than that, and they are checked by the fact that the actual resident settlers will see that a non-resident tax is put upon these lands, so that the operation will be the same as it was in the old Province of Upper Canada. I remember the time, before the land tax was passed, when every old inhabitant had a large tract of land which he kept for speculation; but the land tax system altered that, and we had yearly sales of lands for taxes, and the speculators were obliged to sell their lands because they could not afford to pay the taxes put upon them.

MR. MACKENZIE: It was precisely the land speculators that bought up the lands.

SIR JOHN A. MACDONALD: But they sold again. Of course the land speculators bought them and paid the rates, and the municipalities got the money and laid it out in roads and bridges, and the improvement of the country; and the new speculators who bought those lands were obliged to sell them or continue to pay taxes, and we all know the consequence was that such things as large land proprietors, which have been pictured to us by the hon. member for North Norfolk, do not exist in Ontario. My hon. friend conjured up the idea that we were going to have a proud aristocracy, as he called it, like that of England, owning millions of acres, keeping down the tenant-farmers and grinding them to powder. Why, we know that the people most to be commiserated in England are the land owners. Landlords cannot get a tenant-right; the tenantry are going to become landlords themselves by coming to Manitoba and the North-West. There is no fear of our having a serfdom like that in Russia; I thought there were 10 serfs in Russia, and I thought that the people that were most completely free from serfdom in the old world are at present the men who were formerly serfs in Russia. They own the soil, they stand exactly in the position of the farmers in the Province of Quebec. There is a small and very inadequate sum by paying which each gets free of his superior. They are so free that, strange to say, in many portions of Russia the emancipated serfs are anxious to get back under the paternal rule of their

seigneurs again. This is the fact, as we know. The hon. gentleman shakes his head. If he would be kind enough to go to the library and read that most interesting book, Wallace on Russia—

MR. MACKENZIE: I have just read it.

SIR JOHN A. MACDONALD: Then he will find it to be a fact, if he has read it attentively, and I can show it to him to convince him, that instead of being governed and oppressed by the seigneur, they are now governed and oppressed by the commune—by themselves, the *mir*, or the commune, as it is called in France. The land is held in common. The commune governs the landlord and divides and sub-divides the land among themselves on a purely democratic principle; and the people find this so oppressive, they wish they were back under reasonable guides, and under a small rate of taxation or rental that was placed upon them by the landlords.

MR. MACKENZIE: The commune is not a new thing; it is not a new system.

SIR JOHN A. MACDONALD: I do not say so, but Wallace will tell the hon. gentleman, who appears to have read it—but not very attentively—that the *mir* is not a new thing, but the landlords stood between the individual serfs and the commune before; they protected the individual serf from the tyranny of his neighbour. That is what Wallace says, and I think that the hon. gentleman, now that I have called his attention to it, will remember that this is so. But the hon. gentleman from North Norfolk commenced his speech by attacking the first resolution for the sale of the land. Now, I have no hesitation in saying that these regulations were reasonable and fair ones. By the first regulation there was an A belt lying on each side of the railway five miles in width, which is withdrawn altogether from homesteads, and these lands are to be sold. Now, while I think the homestead system is a correct one and the best that can possibly be devised for settling the country, certainly no one has a right to expect that he can have a railway built free to his own door for nothing. We all know how Ontario and the older Provinces were settled, but

the farmer in the North-West has no such difficulties to encounter. The day after he arrives in his new home he can put his plough into the soil, and commence to sow his crop. But while I think it is quite reasonable that the men who are getting the land on the line of railway, or within five miles of it, should purchase the land, yet such an outcry was raised about this regulation and about its driving away emigrants that we changed that. An unpatriotic cry was got up by hon. gentlemen opposite, and by some of their ill-regulated organs, such as the *Globe*. From the moment these resolutions were published, a howl was raised, and a direct attack was made upon the Government. No one knows better than the hon. gentleman from West Durham (Mr. Blake) how unpatriotic that paper is when it has a partisan policy to pursue; no one knows better how reckless it is whether it injures the country or not, whether it drives away emigrants or ruins the reputation and credit of the manufacturer, if a temporary political triumph can be obtained. The howl that was raised by a paper of extensive circulation, the organ of a large and patriotic party, would, of course, have its effect. It had its effect on the party, and we were apprehensive that this outcry, unworthy as it was in purpose, and unfounded as it was in statement, would have the effect which it desired, of keeping emigration out of the country; and the *Globe* might afterwards point its finger at the policy and say: This is the policy of the Government, and see how it has failed of success. Although I think that the first regulations were quite just in themselves, and that, if they had been insisted upon, there would have been no diminution in the number of emigrants, and we would have had more money in our coffers, and more means to press on the public works in that country, still we were resolved that we should not be foiled. We rendered our regulations more liberal. We bound them to agree with us. We resolved that every one of the terms must be less onerous to the public and more favourable to the settler, and we have succeeded. I know, as a matter of fact, that these regulations are well thought of in the North-West, where they are so anxious to have imme-

diate settlements, and their country opened up and developed. I have only to say that, by the terms I have endeavoured to explain to you, we hope to encourage the settler by giving him fair terms. We have given him a free grant of 160 acres of land; we have given him the right to acquire, at a moderate price, 160 acres more, with plenty of time to pay up. That secures the settlement of the country. We want to build the railway, and we want to raise money to build the railway in the manner I have explained to you, on the estimates I have ventured to lay before you, and they are not estimates made by me. They are estimates made by experts, who have made these calculations on an extended personal experience. Our terms are better than those offered in the United States, and will secure for us purchasers for our lands. We gain by this two objects, the settlement of our country within a reasonable period, and the certainty of raising a fund that will relieve this country from all danger of being oppressed by a burdensome taxation, in order to carry out the obligations which the Dominion has placed itself under, and which we cannot, without a loss of honour, a loss of prestige, and a loss of position, ignore. When we gain these two things, we can throw ourselves confidently on the good sense of the House, and the good sense of the country, for the support of our railway policy. I therefore say these resolutions must be passed. Our regulations demand and require, and I believe will receive, the approbation of this House and the country. They are liberal without being lavish, and will operate so as to encourage the poor man to become a rich man, and enable the country to carry out the great object of developing this country, and of building our magnificent railway connecting the Atlantic and Pacific.

MR. ANGLIN: The right hon. gentleman who has just resumed his seat, discussed a rather important portion of the Pacific Railway Policy of the Government upon the question raised by the hon. member for North Norfolk. It would evidently be very inconvenient just now to follow him at length in the course which he has chosen to pursue. Notice has already been given that a resolution

will be moved, as soon as the hon. the Minister of Railways has promulgated his policy regarding the Pacific Railway; and it is understood that that will be the proper time for taking up this whole question with regard to the best mode of constructing the Pacific Railway. The propriety of taking up this branch of the subject now, I leave the right hon. gentleman for himself, and those sitting behind him, to consider. But it occurred to me that it would, at all events, be well to make one remark with regard to the very extraordinary calculation prepared for the right hon. gentleman by experts and submitted by him to this House. To the representatives of New Brunswick there was nothing novel in the mode of dealing with the question which he has chosen to follow. Many of us from that Province have, for many years past, been familiar with this mode of discounting the future. We have had calculations, almost precisely similar in their character, submitted from time to time as a justification for plunging the country into extraordinary expenditures. We were told how the population of the country would multiply. Careful calculations were produced to show that the population would grow even without the aid of emigration; and we were often told of the magnificent future in store for our country when our wild lands were cultivated, and the wilderness was blossomed as a rose. In no single instance was one of these anticipations realised, was a single one of those prophecies fulfilled. All of them have proved to be grossly delusive, as I have no doubt the calculations submitted to the House, this afternoon, will be found in the course of time to be delusive. I moved several weeks ago for a return showing what quantities of land the Canadian Government has sold to Manitoba and in the North-West, from the days on which we first acquired possession of that country up to the end of last year; showing further the whole amount of money raised from the sale of these lands; and also the cost of survey, the management, and the conduct of the sales, so that this House, when they come to the consideration of the Pacific Railway policy of the Government, should have some actual facts upon which to base their estimates and calculations for the future. If hon. gentlemen

are allowed to manufacture their data, they can bring us to any conclusion they please. I asked for data which would be reliable, but, for some reason or other, that return has not found its way on to the Table of this House, and possibly we may be called upon to discuss this policy by-and-bye without having these figures to guide us to a just conclusion. I was about to say that, in this extraordinary calculation, one very important, palpable and flagrant omission has been made. While the hon. gentleman calculated very carefully the interest accruing on the price of lands sold, he omitted altogether to calculate the interest on the amount of money we are borrowing from day to day, and expending on the Pacific Railway. On June 30th, as the Public Accounts show the actual expenditure on that work was about \$12,500,000. Since that a very large expenditure has been made, and I think it is not too much to assume that at this moment we are in debt in that amount to the extent of \$15,000,000. That money will cost us at least 5 per cent. per annum. We borrow nominally at 4 per cent., but I think 5 per cent. is actually the very lowest rate we pay for that money. Five per cent. on \$15,000,000 is just \$750,000, and it will be necessary next year to sell lands enough to realise \$750,000 to pay the debt at this moment due on account of the Pacific Railway. The right hon. gentleman calculated that 25,000 people would go into that country next year. I think it a very extravagant calculation; and let me say, moreover, that the hon. gentleman calculated that these people would come from other countries, and add to the population of this. Whereas, it is known that a very large portion of those who have gone to the North-West have gone from the Province of Ontario, and so diminished the population of that Province. But setting that aside for a moment, I want to make this one point. We will have to realise \$750,000 by the sale of our lands to pay the interest on the money borrowed. Taking the emigration at 25,000 persons, that sum will represent \$30 per head for every man, woman and child that, even according to the hon. gentleman's own statement, goes into the country. Then the hon. gentleman says that \$75,000,000 are to be spent in ten years, when

the road will be completed. I do not know whether there is anybody in Canada, besides himself, who believes that that road can be built for \$75,000,000. Fifteen millions from \$75,000,000 will leave \$60,000,000 to be expended in the ten years, or \$6,000,000 to be expended annually. The annual interest upon the latter sum will be \$300,000 a year, to be added to the existing interest. This year we will have \$750,000 interest to pay by the sale of lands; next year we will have to raise \$1,050,000; the year after, \$1,350,000; the next year, \$1,650,000; and so we would go on until at the end of ten years, we will have to raise from the sale of those lands, merely for the purpose of paying interest on the \$75,000,000, no less a sum than \$3,750,000. His calculation, that there would be an emigration of 75,000 people during that last year, according to which it would be necessary for every man, woman and child of that emigration, to pay \$50 a piece into the Dominion Treasury, to pay the interest on the \$75,000,000. This was lost sight of, and I maintain that there is nothing to satisfy any reasonable man, who wishes to weigh the facts of this case carefully, that the sale of lands in the North-West will be sufficient to enable the Government to pay this enormous amount of interest. This is the only point I desire to make, and, I think, it is one that hon. gentlemen on the other side would do well to take into consideration.

MR. PLUMB: Mr. Speaker, I expected, when my hon. friend the member for North Norfolk (Mr. Charlton) rose, that we would have a temperate, clear and dispassionate discussion of the great question involved in the terms of his resolutions. My hon. friend has an aptitude for collating statistics and presenting them in a clear and effective manner. But my hon. friend has one peculiarity, which I think, has been exhibited in all the important speeches he has made in this House. It will not be Parliamentary for me to say, the hon. gentleman has not the sincerity of his convictions, but it is quite certain, that when he begins with an argument upon one side of a question, he usually manages before he concludes, to introduce arguments upon the opposite side from that upon

which he started that entirely do away with the force of his original proposition. My hon. friend began by questioning the land policy of the Government. I acknowledge that there may be great room for differences of opinion upon grave questions, such as that of the policy to be adopted for peopling a wild country like our North-West, and the building of a Trans-Continental railway. Differences of that kind we must expect will be earnestly advocated and supported by arguments strenuously urged in this House. We must expect that such arguments from gentlemen on the other side of the House, will be tinged with party spirit. I do not object to that—and I hope we shall hear in the course of this discussion, for our information and examination, from gentlemen on both sides, every reasonable view which can be taken of the subject. But I did not expect to hear from the hon. gentleman on the one hand, that the Government had granted for the building of the Pacific Railway an inordinate quantity of land—a grant so large that it was simply reckless, extravagant, and improvident. I did not expect, on the other hand, to hear him assert that that quantity of land would be inadequate for the building of the road. Nor did I expect to hear from him that there had been grants of one-fourth the quantity, not so good space as ours, to important railways in the United States, on the proceeds of which their lines had been constructed. These statements do not tally. I will not follow the hon. gentleman in his argument, but I must say that I cannot conceive that in the great North-West there is not land enough for all kinds of bargains and arrangements which it may seem politic to the country to make. There is ample provision made for the settler. There is ample provision made for him in the first place by giving him 160 acres as a homestead, and in the second place a preemption of another 160 acres which he can take if he likes. It is very unfair for the hon. gentleman to attempt to persuade this House that the land laws of the United States are more favorable to the settler than ours. I happen to have before me the regulations of the United States Government, in respect to preemption and homesteads, which regulations show that, until recent modifications took place, a settler could get for a home-

stead only eighty acres of land, and could acquire but eighty acres more by preemption. The prices of the latter were fixed, according to location, either at \$1.25 or \$2.50 per acre, and yet the hon. gentleman boasts of this system, which in reality is not nearly so liberal as our own. In 1879, under pressure of representatives in Congress, who were hostile to the holders of the large land-grants for railway purposes, or who wished to strengthen themselves in constituencies, where such grants are restrictive and monopolising, there was a modification of the land statutes, and an Act was passed by which the homestead-grant was extended to 160 acres and the preemption privileges to 160 acres a' so; but, the minimum and maximum prices, \$1.25 and \$2.50, remain the same. This is all I have to say, in reply to the hon. gentleman, in that regard. When the hon. gentleman says that our regulations are calculated to obstruct the settlement of the North-West. I entirely disagree with him. Does he suppose that this Government are in a league to defeat their own objects—that they are going deliberately to work—understanding the regulations of the United States—to commit political suicide and destroy the opportunity presented to them, of carrying out the great engagements laid upon them,—engagements I may say, in passing, laid upon them by the hon. gentleman opposite and his leaders, for the original policy was changed by the late Government. The hon. gentleman goes on to say, that in order to open up our great North-West, it must be left free to the typical pioneer; and the hon. gentleman, with a fine poetic fancy, pictures that *avant-courier* of settlements, after having finished his work in what was once called the Far-West, having no more wilderness to conquer in the dark and bloody ground where he flourished fifty years ago in his buckskin hunting shirt, and squirrel-skin cap, with his powder-horn at his side and his rifle on his shoulder, standing ready to take these accessories of civilization into our Great Lone Land. But the hon. gentleman assures us that the fastidious person he described will not vouchsafe to give us the inestimable benefit of his co-operation, unless we legislate here for his especial and exclusive benefit. Now, the hon. gentleman should know that his

pioneer has ceased to exist ; that he is a creature of an age that has gone by ; that he is as utterly extinct as the Mastodon of Big-bone Lick, who disappeared a few ages earlier. His mission was to defend himself with his rifle from the hostile red-man, to keep his scalp intact, and with his axe to fell the vast dreary forests which frowned along the shores of the Ohio and the Mississippi. If a stray individual of his race still survives, Sir, he would find on the Red river or the Saskatchewan, none of the difficulties with which he had to grapple in his old home. There are no grim foes to meet except occasional *blizzards*, no forests on which the labour of half a life-time must be spent before they can be conquered. The virgin soil is ready for the plough, a single summer will yield a prolific harvest on the first breaking up ; nature has prepared an easy path for him with the application of the vast improvements that labour-saving implements supply. The country we are offering has already passed the bounds which the pioneer reached when his work was done. The hon. gentleman has sketched a poetic picture, romantic enough, but one which will not stand the strong, clear light of common sense. The hon. gentleman has also said, that there is a great objection to opening the land in the Far-West to the speculator. I say that if any one wishes to buy this land within the restrictions placed upon it by the Government, he should be allowed and encouraged to do so. I say that I want to see the capitalist go there, take an active interest in the settlement of that country, and become an emigrant agent, endeavouring to get settlers there ; and if, as has been hinted, he finds himself uncomfortably taxed, he will be the more anxious to get settlers upon his land to share his burthens, and there will be no harm done ; there is ample room and verge enough for the emigrant and the capitalist : I have been looking over the report of the English tenant farmers who visited Manitoba last year, which shows that large tracts have been taken up by men of property going from Ontario, men who have sold their improved lands here and who have had means to acquire land enough for themselves and their sons in the North-West. What possible objection can there be to giving such men

the privilege of acquiring ten times the quantity named as a homestead if they desire it ? It would hardly be expected that we could adopt any policy that would meet with approval of hon. gentlemen on the other side, and I anticipated nothing less than the attack made by the hon. member for North Norfolk (Mr. Charlton) but I have been very much disappointed in its force. All the possible mischief which it was intended to inflict has been done away with, most effectually, by the hon. Premier in his able and eloquent reply. I do not hesitate to say, Mr. Speaker, that every utterance of hon. gentlemen opposite since the opening of this Session, has been made with a view to damage the interests of this country ; and it has been painful to the community at large as well as to all dispassionate men in this House, to notice the attempts of the minority to thwart and obstruct that progress toward a restoration of confidence and a return of prosperity, which would come naturally but for the conduct which I am compelled to characterise, as anything but patriotic in the Opposition. Since they sat on the Opposition Benches they have attacked and worried every interest of the country and that, gentleman among them who was able to make the strongest statement in illustration of the country's ruin was the one they most loudly cheered. It was not, however, altogether with the intention of answering the hon. member for North Norfolk (Mr. Charlton) or the hon. member for Gloucester (Mr. Anglin), that I rose to address the House to-night. I do not see any argument of the latter that demands reply. The hon. gentleman's statements are merely hypothetical and cannot be made the basis of any mathematical proposition or logical refutation ; it is therefore not worth while to talk about them. In the State of Iowa, where I became interested in lands in 1857, when the population was under 300,000, and which contains now a population nearly five times that number—a state comparatively free from debt and burthensome taxation—one of the most important of the Western States, its extensive system of railways which have largely contributed to its rapid growth and its great prosperity, were built almost entirely by land grants and in advance of settlement. This has been



the case with nearly all the States of the West having railways running through them in different directions. There is a new line to terminate in Texas, which is now under construction, across the Rocky Mountains and the mountains upon the Californian coast, starting from a point far south of San Francisco. Capitalists of well-known ability have undertaken to construct this line without other advantage or subsidy than a grant of land estimated at eighteen millions of acres. I have here the average price of railway lands sold by the principal railway companies in the United States, up to 1876. I think it fair to take it up to that time, higher prices have since been obtained, but the condition of settlement then came more nearly to that of the North-West now. The Topeka and Santa Fe, \$5 an acre; the St. Paul and Minnesota, \$6.20; the Northern Pacific, \$4.74; Lake Superior and Mississippi \$7.50; the Pere Marquette, \$8; the Central Pacific, \$5.29; the Union Pacific, \$4.32, on a grant of 13,000,000 acres; the Kansas Pacific on a grant of 6,000,000 acres, \$2.72, the last report of that road being in 1873; the Chicago, Rock Island and Pacific, \$7.91; the Chicago, Burlington and Quincy, \$12.25. It therefore does not seem very rash and reckless to make the calculations given by my right hon. friend, the First Minister, of the value of our lands and the probability of sales. It was not for the purpose, however, of addressing the House on this question, as I have just stated, or upon Mr. Charlton's resolutions alone, that I rose to-night; and perhaps I may be pardoned, if I take a different range, in order to bring forward some statistics on matters of importance to this House and the country. My principal object in now addressing the House, was to call attention to the English labour and food question, and to couple them with the probable settlement of the great North-West. My object was to show that my right hon. friend Sir John A. Macdonald, had no chimerical idea, when he looked upon our great fertile belt in that country, as being the future home of a great community, loyal to the British Crown, and forming perhaps the most important portion of the British Colonial Empire. I have endeavoured to bring important

statistics bearing upon the food and labour question together, in such a way, as to present them concisely to the House. I wish to state first, from the data that I shall be able to give, that the culture of wheat, is constantly declining in the United Kingdom, the acreagesown having fallen from 3,831,054 acres in 1871, to 3,381,791 acres in 1878; and to 3,085,428 acres, it is estimated, in 1879. This enormous diminution is caused by large areas of new lands under wheat culture in other parts of the world, coming in successful competition with Britain wheat-growing. The acreage thus taken from wheat culture does not produce any other crop giving the same amount of flesh-forming constituents as that of wheat, 480lb. of which is equal to 550lb. of meat, and 4,800lb. of potatoes. Of course, as long as coal or iron will buy, or will produce what will buy wheat, just so long can the population of Britain be fed. But she is in a peculiar position. She requires not only to import food largely, but she must import great quantities of raw material for her manufactures—more, perhaps, than any other manufacturing country. She imports hemp, jute, silk, cotton, leather, wool, and wood for building purposes, and those imports have to be paid for by exports of manufactures. At a period not very remote, a surplus of food supplies was raised in the kingdom, and large quantities of cereals were exported; but it is now absolutely necessary for England to face the food question as well as the question whether her imports can be increased in proportion to the wants of that class of the population which depend entirely upon manufacturing as distinguished from agricultural pursuits. I shall be able to show figures to sustain what I have said. In 1871 the population of the British Isles was 31,484,661. It is now estimated at 35,000,000. The acreage of wheat in 1871, was 3,831,054; yield 53,620,000 cwts., or 100,024,000 bushels. Wheat imported in 1871, 43,310,000 cwts. or 80,850,000 bushels; consumption, 97,000,000 cwts., or 180,874,000 bushels. Acreage of wheat in 1878, 3,381,701; yield 55,350,000 cwts. or 103,420,000 bushels; wheat imported in 1878, 58,760,000 cwts. or 109,690,000 bushels; consumption 114,110,000 cwts. or 213,110,000 bushels.

MR. PLUMP.

Acreage of wheat in 1879, 3,056,428 acres half a crop estimated; wheat imported in the first ten months of 1879 57,000,000 cwts. or 106,400,000 bushels. Mr. Caird states the yearly present consumption of wheat to be 110,000,000 cwts. or 205,340,000 bushels, of which 55,000,000 or 102,670,000 bushels is imported. Other cereals imported probably supply the place of wheat used for others purposes than human food. Of meat the home product in 1878 was 25,000,000 cwts.; of butter and cheese 3,000,000 cwts.; of milk, 6,000,000, cwts., making an aggregate of home raised animal food of 34,000,000 cwts. Imported meat in 1878 6,000,000, cwts.; imported butter and cheese 4,580,000 cwts.. Total consumption of animal food, 44,580,000 cwts. Potatoes, home grown in 1878, 100,000,000 cwts.; potatoes imported, 850,000 cwts. All these foods vary in life sustaining power in proportion to their richness in flesh-forming constituents. It is calculated that the nutriment contained in 480lb. of wheat is the average-quantity required for each individual of the population; and that 480lb of wheat is equal to 550lb. of meat and 4,800lb. of potatoes. Reduced to a common flesh forming standard and expressed as wheat the consumption of food in 1878 was as follows :

	Home grown. cwts.	Imported. cwts.
Wheat.....	55,350,000	58,760,000
Meat equal to.....	21,820,000	5,740,000
Dairy food .....	8,000,000	3,720,000
Potatoes.....	10,000 000	870,000
	95,170,000	69,090,000

The calculation shows that in 1878 the consumption of wheat was 48½ per cent. home grown, 51½ per cent. imported. Of meat reduced to wheat standard, 79<sup>17</sup>/<sub>100</sub> per cent home grown, 20<sup>33</sup>/<sub>100</sub> per cent. imported. Of dairy food 68<sup>25</sup>/<sub>100</sub> per cent home; 31<sup>74</sup>/<sub>100</sub> per cent. imported and of potatoes, 92 per cent. home, and 8 per cent. imported. In all, 58 per cent. of the total food consumed was produced at home, and 42 per cent. was imported in 1878. The total consumption in 1878 was 164,000,000 cwts.; in 1871, 143,000,000 cwts.; and in 1862, 135,000,000 cwts. Divided among the population at those periods they make, in wheat equivalents, the consumption *per capita* in 1861,

522lb. ; in 1871 512lb.; in 1878 538lb. allowing 5 per cent. for export the remainder comes very near the calculation of 480lb. of wheat, or its equivalent, for each period. Besides these main articles of food there are minor ones of little comparative importance, namely; eggs, vegetables other than potatoes, fruits, home raised and foreign, and beverages. The value of the total consumption of food in 1878 was estimated at £167,000,000 sterling, made up as the following :

Animal food.....	£39,980,000
Cereals .....	60,110,000
Sugar, fruit, &c.....	29,150,000
Alcoholic beverages.....	7,840,000
Other beverages.....	12,080,000
Miscellaneous.....	17,840,000

Total ....£167,000,000

Allowances are made in the estimate of alcoholic and other beverages for the grain used in their manufacture; its enhanced value in the shape of the beverage is merely given. According to the careful estimate of the great English statistician, Mr. Caird, Britain now derives half its bread and one-fourth of its dairy produce from abroad. Mr. Samuel Bourne, from whose valuable tables I have largely quoted and shall largely quote, estimates that of the 35,000,000 of population which the next census will show in the United Kingdom, at least 17,000,000 must be fed by imported food. A great and deplorable waste of food is its conversion into alcoholic drink. During the twenty years ending in 1876, nearly 30,000,000 hundred weights—55,000,000 bushels—were converted into beer and spirits; enough food was thus absolutely destroyed to support a twelfth part of the inhabitants of the United Kingdom, say 3,000,000 of persons. The question arises whether any changes in the conditions under which the agricultural operations of Great Britain are carried on can increase the food-supply of the Islands. It does not follow that a change in land tenure and a larger investment of capital in agriculture would insure the sustaining of a larger number of people by increased home production. Much would depend on the kind of produce of which the quantity raised would be increased. The potato feeds the greatest number per acre, but it is deficient in giving muscle and capacity for work—in strengthening power. There is but little likelihood that

the *legumes*, although admirably adapted for sustaining life, and giving healthy vigour and tone to the system, will come largely into use, or that anything will take the place of wheat, or depose it from its supremacy as the staff of life in the British Isles; whether because of the weight which each acre will produce as compared with other descriptions of food, or of its fitness for man's consumption. Now, it is certain that wheat is just the kind of crop which is most likely of all to be displaced in Britain, by the introduction into the market of that country, of wheat of foreign growth. We have seen, as I have previously stated, the effect of a cheaper foreign supply in reducing the wheat acreage from 3,821,054 in 1871, to 3,056,428 in 1879, which, allowing an average crop of fifteen bushels an acre, would be equal to a decrease in the crop of eleven millions of bushels. Throwing land out of wheat culture into that of any other description of food, however profitable it may be for the cultivator, lessens the number per acre which the land will feed. In changing it from arable to grazing purposes, eight acres of pasture will only yield as much food as one of wheat. Fruit and vegetables will not contribute anything like the same degree of sustenance, that would be afforded by the wheat, of which they may take the place. Increased population and thriving trade also absorb more land for erection of buildings and means of transit, and for open spaces for recreation. These demands, it is not desirable to limit. Reclamations of waste land may only serve to supply the deficiency thus caused. High farming and improved machinery will not be able to hold ground against the opening up of new areas of wheat culture in other countries, and will be probably applied to those foods which need the largest acreage. On the whole, it is held that it cannot be expected that the life-sustaining power of the soil of Britain will be increased, unless continued adversity drives its people to the use of simpler food. There is every reason for believing that every year will diminish the power to support increasing numbers upon the food raised in the British Isles. They must also resort largely to the produce of other countries to supply raw material for manufactures, for it has been

often said that, except in iron and coal, no manufacturing country is more deficient in such material. Cotton, silk and jute are wholly of foreign growth, and flax, leather and wool are largely imported. An average of twelve years shows the value of these articles imported yearly as follows:—

	£	Home consumption. £	Home production. £
Cotton..	42,230,000	9,720,000	
Flax...	5,160,000	3,302,000	2,000,000
Jute....	2,470,000	2,190,000	
Silk ....	15,180,000	12,400,000	
Wool....	15,550,000	5,060,000	8 500,000
Total ...	£80,500,000	£32,390,000	£10,000,000

For erection of buildings and manufacture of furniture we use foreign woods. From these data it will be found that it will be necessary for British statesmen, gravely and speedily to consider the condition of their country, where the manufacturing population is largely increasing, and where the increase of the agricultural population is almost at a stand still. The manufacturing class must be fed by the export of the manufactures they produce. And we have seen that not only these, but that one-half of the population altogether, now depends on imported food, to pay for which manufacturers must find an export market. At the Census of 1871, out of the 31,484,000 persons who were enumerated, 2,989,154 are classified as agricultural; 6,425,137 as industrial; these numbers include workers' wives and children. Probably the next Census will show an industrial population of 8,000,000, and that of the following decade might give 10,000,000 or 12,000,000. This calculation, and the probabilities of an augmentation in the ratio of increase of population, are justified by a late report of Dr. Farr, the Registrar General, who states that in the most healthy districts of England, during the ten years ending 1870, the mortality was seventeen in the thousand, and the whole number throughout the country was twenty-two deaths in the thousand. He argues that the death rate will decrease, and that consequently there will be a much more rapid increase in population in the future, owing to better hygienic and sanitary regulations. To feed the population thus increasing, at the end of the next decade,

will require the export trade to be doubled or tripled, and every branch of manufacturing industry extended 50 per cent. The exports of the Kingdom arrived at their maximum in 1872, but the imports did not do so until 1877. Since 1878 both have been decreasing. It is claimed that what is called the balance of trade is entirely fictitious. The gross sums returned as the amounts of exports and imports it is said, and truly said, do not truly represent their values, and that the amount paid for imports is less than their valuation by the profit on freight, commissions, etc., and that in the same way, more is received for exports than their entered cost on departure. The following tables show the official values of imports and exports for twelve years, with a revision, taking into account the added or diminished values just alluded to :—

	Imports.	Exports.	Balance	Revised Imports.	Exports.	Balance.
1867..	230	181	59	205	188	17
1868..	247	180	67	220	187	33
1869..	248	190	58	221	196	25
1870..	259	199	60	231	207	24
1871..	271	223	58	240	230	10
1872..	296	256	40	263	266	3
1873..	315	255	60	281	267	14
1874..	312	240	72	278	251	27
1875..	316	223	93	281	233	48
1876..	319	201	118	284	209	75
1877..	341	199	142	304	203	96
1878..	316	193	123	281	202	79
1879..	283	183	100	256	197	59
			1,050			£507
						3

504

The foregoing figures represent millions sterling, and show an apparent balance of £1,050,000,000 of imports over exports since 1867, which the revised figures in the last columns reduce to £504,000,000, of which it will be observed that £390,000,000 has accrued since 1873. It was contended by the extreme school of political economists which our opponents blindly follow, that the imports, however much in excess, must be really paid for by the exports, and, therefore, that the balance only shows the profit that accrues from the exchange. Some of our ultra-Free traders have gone so far as to say; that the more a country buys the richer she grows. The events of the last few years, however, and the extreme

depression of trade, must surely convince any but the most obstinate theorists of the fallacy of this contention. It is now generally admitted, the member for Bothwell and his *confreres*, to the contrary notwithstanding, that England has been liquidating her balances by the sale of the bonds and securities acquired during prosperous years, and in fact that the English people are paying out their hoarded savings. The recent rise in the Bank rate is due to the apprehension that the United States which, owing to the protective system, buy little or nothing from England, will demand gold for the food they are called upon to supply, having regained possession of the bonds and securities which they formerly sold to England. In 1867 the aggregate exports of England exceeded her importations of food by £80,000,000; last year the excess was but £26,000,000, a sum quite insufficient to pay for the raw material of foreign production worked up into the manufactures exported. In short, the whole product of British labour and capital employed in industries for exportation fail to realise enough to pay for the food she imports for home consumption. Let the figures be examined, and their import scrutinised in whatever way you will, and the conclusion is still irresistible that, at the present moment England is unable to provide food for her own people either from the produce of her own soil, or by the exchange of her manufactures and produce. It will be argued that these times are not a fair criterion, that there will be again a flood of prosperity, that the savings of the past will tide her over the ebb, and that the depression is universal. In other countries trading and manufacturing companies are the minority, in England the majority. England, essentially a productive and commercial nation, has been the manufactory of the world, but is every day becoming less exclusively so, since other nations have discovered that they possess the same sources of mineral wealth. It is perfectly evident also from the figures under consideration, that the profits of previous years have been expended for the purchase of raw material, and of the food necessary to feed the English population. Then comes the question as to whether the revival of trade will restore England's position. It

may be said that England is really a nation of producers, a nation of workers, a nation of manufacturers. From her vast stores of coal and iron, and owing the rapid development of other countries, who purchased largely from her, she had great stimulus given to her industries, but it is not believed that that prosperity can permanently return, and it is not possible that she can double or treble her export trade in order to provide food for her increased population. Other countries have discovered that they have the resources which made England rich and strong, and have adopted protective measures for the encouragement of their own manufactures and the exclusion of hers. Some scheme of disposing of the rapidly increasing surplus population must, if it has not already done so, impose itself upon English statesmen, and the necessity of the hour in the next decade will be to consider how that population shall be provided for. Thoughtful men are studying these facts and conclusions, and are asking whether it is desirable that the kingdom shall be converted into a vast and overcrowded workshop, with all the evils which now are attendant upon densely populated centres, enormously increased. Shall the British people be pent up within narrow limits which shall be hot-beds of discontent, where ill-fed, ill-clothed, ill-disciplined, ill-taught masses shall be ripe for the harvest of the demagogue—a constantly increasing mob, who can scarcely be blamed if they cannot be kept within the restraints of law and order during the periodical revulsions of trade that must occur—that can scarcely be blamed if they listen to the persuasions of the Communist or the Nihilist in a country where the contrast between wealth and misery is ever before them. In such seething masses the instincts of self-preservation will survive all other impulses except perhaps the appeal of starving wives and children. Is it true philanthropy, or true policy, or true statesmanship to wait till such a state of things has grown to proportions so appalling that they refuse to be dealt with. What then shall be the manifest duty of the governing classes? Let us see. Sir, I have produced these elaborate and somewhat tedious groups of figures for the purpose of showing the House the position England will occupy when she

finds it is absolutely necessary to meet the great food question; when she will be compelled to ascertain whether she can enlarge her own agricultural fields of labour; whether she can manufacture so cheaply as to be able to force her manufactures upon other countries, and thereby obtain the food necessary for her people. Some think it has been well established, as I have stated, that she cannot enlarge her food products. Shall she, then, meet the case by an enlightened system of deporting her population—sending out an advance guard of the best and strongest, who can be induced to emigrate, to prepare the way for a further emigration of her labourers and artisans, who shall thus be rescued from squalor, misery, and poverty, and carried to a land where they can find happy homes, and the prospect of a new life. Suppose it were possible, by some great convulsion of nature, suggests Sir Julius Vogel, that a continent should be upheaved on the west coast of Ireland, containing all the elements for the best development of society; that the climate would require labour, as the first necessity and the greatest boon, that can be given man; a climate that would not enervate but strengthen the system, and best develop the physical as well as the moral condition of the inhabitants; suppose it were a virgin soil, offered broadcast, and almost free of cost, to the whole people of the United Kingdom, how long would it be before the new land would be covered by an industrious population, bringing with them all the appliances and improvements of agriculture, manufactures, art and science. Wealth would flow into it and would build cities, and cultivate farms, and construct railways, and supply means of education, and furnish luxuries of all kinds, and everything that denotes progress in the better state of civilization—all these, the result of labour and capital, would spring up like Aladdin's palace, like a dream, or an exhalation of the morning, but not like them to fade suddenly away. Yet, such a continent is practically what is offered to England to-day by the great North-West, which has been, as it were, discovered but yesterday—a country which now offers the solution of the difficulty in which England is soon to be placed. That great

country which was unknown five years ago, except to the Hudson's Bay employes, or the Indian trapper, or the pioneer who ventured at the hazard of his life across the illimitable prairies, is now, as one may say, a continent risen up beside the Green Isle which needs it to redeem its starving millions. That country is practically as near to England to-day, by the great improvements in navigation, by the telegraph cable which flashes news beneath the Atlantic, as Lands End was to Inverness thirty years ago; as near, almost, as London was to Edinburgh forty years ago. It is offered to England. She will, within a few years, need to choose whether she will allow her festering masses to live on in squalid poverty in her great manufacturing centres, or to say to them, I will give you homes in our own territory, under our own meteor flag, where you can be safe beneath its protecting ægis. Let me read, Sir, the eloquent words of Mr. Bourne, to whom I am largely indebted for the statements I have now made, which were listened to with approval and applause, at a late meeting of the Royal Colonial Institute, presided over by the Right Hon. W. E. Forster, in the absence of the chairman, the Duke of Manchester, and attended by a very large number of distinguished persons:

"One other motive which should induce the Mother Country to foster the further colonisation of her dependencies remains to be noticed—it is the sense of responsibility arising from the relationship in which she stands towards them. It is not only that her own soil fails to provide sufficient for the wants of her growing population; that there seems little likelihood of greater or improved cultivation increasing her produce to the necessary extent; that our manufacturing and trading operations which have hitherto procured supplies from abroad, now fail to keep pace with the growth of those whom they have to support, and our producing power appears to be overtaking the demands of our customers. These are urgent reasons why we should send forth a large number of our people. It is not only that the conditions of existence which have grown up amongst us, the modes of life fostered alternately by inflated prosperity and seasons of depression, require the breaking up of many connections, the changing of many habits, the infusion of new life into the several classes of society; these offer many inducements to place our people in altered circumstances, and to surround them with new influences. Neither is it solely because by the diffusion of our people, the fresh start they may make, and the development of multiplied life, there is much

wealth to be gained. These are encouragements to the occupation of new lands and the enlargement of our intercourse with the natives occupying many of our possessions. It is that, above all these, there should be the conviction that we have solemn duties to perform and sacred trusts to execute.

"If we trace the various means by which England has become lord of the vast territories which already own our Sovereign's sway, and those which it seems we cannot avoid acquiring—at one time by right of discovery, and another by that of conquest; at others for the purpose of restoring order or preserving peace; at one period in pursuance of selfish policy dictated by the greed of gain; at another from motives of the purest philanthropy and the most earnest desire to benefit those whom we have brought under control—we cannot fail to see that it is neither by accident nor for useless ends that we have thus been led to appropriate so vast a portion of the earth's surface. Whatever our past policy may have been, we cannot ignore our present obligations, nor refuse to admit our responsibilities in the future. Whether for good or evil the burden rests upon us, and we cannot cast it off. The destinies of many nations are in our keeping and the peopling of many countries at our disposal. If we have been enabled to settle our own freedom on a firm foundation, we have to secure the same liberty and give the same relief to those who are as yet unable to claim, or unfit to exercise the full privileges of British subjects. If we have drawn to our shore the wealth created in our Colonies, or obtained by trade from other nations, we have to employ our capital in fostering commerce and manufactures for their benefit. If we have arrived at so great a knowledge of, and obtained so great a mastery over the powers by which the earth's products may be utilised, we have to impart these gifts to those who are yet in ignorance, and therefore in poverty. If we have joined the ends of the earth together for our own convenience we have to unite the whole of our possessions together, and to ourselves, by yet closer links, and more enduring ties. If we are in the enjoyment of all the comforts and benefits which a high state of civilization confers, we have to train our dependent to secure the same advantages. If the principles and the practices of morality are to prevail, we must introduce them where they are unknown, and fill our lands with those who will aid in their propagation. If we ourselves are blessed with the light of religious truth, we must strive to cast the reflection of that light over the dark places of the earth, and seek to raise up a seed to serve Him by whom it has been bestowed. These are solemn duties we dare not decline; glorious privileges we would not lose. \* \* \* \*

I have spoken of the necessity imposed upon the Mother Country, that she should extend and perfect the colonisation of her numerous possessions, but is it not equally a necessity to those possessions that they should be fully colonised? She has more than an abundance; they, with few exceptions, a paucity of population. She is unable to raise her own food; they can raise more than they can consume. She has a plethora of wealth which

seeks employment in foreign lands; they have need of more than she can give to develop their untold resources. She has the knowledge, the refinement, the treasures of art and science, accumulated in the course of the years that have past; they have yet to obtain these invaluable possessions in the years that are to come. The necessity is mutual; let both be gainers by its being met and supplied. These are considerations which can no longer be neglected or evaded. They force themselves upon us in our homes and our offices, in solitude and society, in the palace and the *hovel*; they will tax our intellects and should lie near our hearts. When these sentiments prevail, and—presumptuous though it may be in me to say so—not till then, will there be any solid return of national prosperity. Whosoever they are held by the leaders of public opinion, and responded to alike by the voice of those at home and those in our colonies, the work will be received as the most important that can occupy public attention, and all together will join in its performance—then the most important and influential member will not be the Minister, who sits in the Home Office not the one who presides over war—nor even he who rules the Exchequer, but the honoured individual into whose hands Her most Gracious Majesty commits the affairs of the Colonial Office.”

That, Sir, is the line of argument pursued and accepted by representative men in England, and I claim that it bears directly upon the question of the settlement of the great North-West. That is largely a solution of the question that must press itself upon the attention of parties in England, no matter which may be in power. Notwithstanding there has been a change in the Government, to the regret of many, the same obligation to deal with this question rests upon the new Administration whatever statesmen may be at the helm. The day is far distant when that narrow and selfish policy will again prevail which ruled prior to 1865 and 1866. The colonies and appanages of Great Britain are now considered among the true sources of her greatness. Every dispassionate man in the House and country believes that no greater and truer source of power lies in the grasp of England to-day, than the settlement of the great North-West upon the principles to which I have referred. It was no dream of the present Dominion Government that the Pacific Railway could be constructed out of the proceeds of our own lands; no dream when the hon. the Premier read those statistics, which were received with incredulity, almost with scorn, by the

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hon. gentlemen in Opposition. The calculations of the Government are justified by the statistics and facts I have given. I believe that, under the providence of God, the great North-West is destined to play a most important part in the history of civilization, and in the destinies of the British Empire. Nothing, I repeat, could more conduce to the greatness of England than to send us her yeomen—an advance guard of the best, strongest, and most intelligent of her population. When the strong come here, they will provide homes for the weak—for those who cannot come as pioneers, and that the strong will come, anyone who reads the report of the delegation of the English tenant-farmers' may be perfectly certain. Those reports, made without partiality or prejudice, made by men who are not the hired tonters for land companies or railway men, who came here to see the country for themselves, who went where they liked and drew their own conclusions, cannot be read or heard in Britain without producing great effect upon the people whom they addressed. My hon. friend (Mr. Charlton) has suggested that it would be imprudent and improper to permit large capitalists to go into the North-West and there acquire extensive tracts of lands—even though they will settle upon and, perhaps, cultivate those lands. There can be no better policy than to encourage such settlers. They will give employment in the meantime to men who may not be able to purchase or settle, who will take up land afterwards and establish comfortable homes for themselves. Many of the English tenant farmers purchased lands when in the North-West, and have unanimously recommended it as a most favourable country for enterprising men, not afraid of work; and to men of capital they say, there is no place where a better investment can be made. Those indisposed to face the hardships of a new country, may find in Ontario or the Eastern Townships that they can buy the fee simple of excellent farms for a sum per acre not exceeding two or three years' rental in the United Kingdom. There has been a studied attempt, Sir, on the part of the Opposition, which cannot be too emphatically and severely characterised, to decry the value and availability of the vast territory in question, which

was acquired for Canada through the far-seeing statesmanship of my right hon. friend (Sir John A. Macdonald). Permit me, in support of my argument and of the conclusions which, I trust, are warranted by it, to read extracts from a letter written and published by Mr. J. W. Taylor, the Consul of the United States at Winnipeg, who is considered an indisputable authority :

"A comparative statement of temperatures at St. Paul, Winnipeg and Battleford, for the first months of the current year, including April, having been published by me and noticed in the *Pioneer Press*, I assume that your readers will be interested in a similar statement for the year ending July, 1879, to which I have added the monthly observations at Toronto.

"These positions are as follows .

	N. Lat.	W. Long.
Toronto .....	43.39	79.23
St. Paul .....	44.52	93.05
Winnipeg .....	49.50	96.20
Battleford .....	52.30	109.00

"It will be convenient to refer to latitudes as Toronto, 44 degrees ; St Paul, 45 degrees ; Winnipeg, 50 degrees ; Battleford, 53 degrees. The place last named is situated on the Saskatchewan river, and is the capital of the North-West Territory of Canada, as the vast district west of Manitoba (longitude 99 degrees) to the Rocky Mountains is now known geographically and politically.

TABLE OF MEAN TEMPERATURES.

	Toronto.	St. Paul.	Win- nipeg.	Bat- tleford.
August....	66.38	72.00	67.34	67.79
September..	58.18	60.06	52.18	47.10
October....	45.84	46.03	35.84	34.52
November..	36.06	38.03	30.66	28.66
December..	25.78	19.03	11.97	7.43
January....	22.80	16.03	6.10	0.45
February..	22.74	15.02	-12.32	-10.25
March.....	28.93	33.01	14.14	16.84
April.....	40.72	50.04	39.10	46.70
May.....	51.74	58.07	53.13	53.35
June.....	61.85	67.09	63.20	60.35
July.....	67.49	73.05	68.19	63.95
Yearly means	44.04	45.61	36.67	36.46

"A statement of mean temperature during the agricultural season from April to August inclusive, exhibits the following proportions :— Toronto, 57 degrees, 65 minutes ; St. Paul, 65 degrees, 5 minutes ; Winnipeg, 58 degrees, 19 minutes ; Battleford, 58 degrees, 53 minutes. Thus it will be seen that the climate, in its relation to agriculture, is warmer in Manitoba and over territory seven hundred miles north-west, than in the most central districts of Ontario ; while St. Paul, in latitude 45 degrees, is 7 degrees, 40 minutes warmer than the vicinity of Toronto, in latitude 44 degrees.

"I hope soon to be in possession of similar statistics at Fort McMurray on the Athabasca river, and Fort Vermillion on Peace river, respectively 1,000 and 1,200 miles due north-west

of Winnipeg, and I have full confidence that the climate at these points will not be materially different from Battleford. The altitude of the Athabasca and Peace river district is less, and the tread of the Pacific winds through the Rocky Mountains is more marked than at Battleford. It was on the banks of the Peace river, well up in latitude 60 degrees, that Sir Alexander Mackenzie records, on the 10th of May, the grass so well grown that buffalo, attended by their young, were cropping the uplands.

"But I find my best illustration that the climate is not materially different west of Lake Athabasca, in latitude 60 degrees, than we experience west of Lake Superior in latitude 46 degrees, in some personal observations of the north-western extension of wheat cultivation. In 1871, Mr. Archibald, the well-known proprietor of the Dundas mills, in southern Minnesota, visited Manitoba. He remarked that the spring wheat in his vicinity was deteriorating—softening, and he sought a change of seed, to restore its flinty texture. He timed his visit to Winnipeg with the harvest and found the quality of grain he desired, but the yield astonished him. 'Look,' said he, with a head of wheat in his hand, 'We have had an excellent harvest in Minnesota, but I never saw more than two well-formed grains in each group or cluster, forming a row, but here the rule is three grains in each cluster. That is the difference between twenty and thirty bushels per acre.' More recently, Prof. Macoun, the botanist of the Canadian Pacific Railway survey, has shown me two heads of wheat, one from Prince Albert, a settlement near the forks of the Saskatchewan, latitude 53 degrees, longitude 106 degrees ; and another from Fort Vermillion, on Peace River latitude 59 degrees, longitude 116 degrees, and from each cluster of the two I separated five well formed grains, with a corresponding length of the head. Here was the perfection of the wheat plant, attained according to the well-known physical law, near the most northern limit of its successful growth.

"The line of equal mean temperatures, especially for the season of vegetation between March and October, instead of following lines of latitude, bends from the Mississippi valley far to the north, carrying the zone of wheat from Minnesota away to the 60th parallel in the valley of the Peace River, and reproducing the summer heats of New Jersey and southern Pennsylvania in Minnesota and Dakota, and those of northern Pennsylvania and Ohio in the valley of the Saskatchewan. \* \* \* Within the isothermal lines that inclose the zone west and north-west of Minnesota, which is being or is soon to be opened to cultivation, lies a vast area of fertile lands from which might easily be cut out a dozen new States of the size of New York.

"I assigned Ohio, Indiana, Illinois, Iowa, and even southern Minnesota to the zone specially adapted to corn, as the more southern states constitute a cotton zone ; and observing the imperative natural restrictions in the Mississippi valley upon the successful production of wheat, I hazarded the statement that three-fourths of the wheat producing belt of North America would be north of the inter-



national boundary. This arithmetical division has since been questioned by the *Pioneer Press*.

"I will venture to illustrate the climatic influences which control the problem under consideration, by some citations from 'Minnesota: Its place among the States. By J. A. Wheelock, Commissioner of Statistics,' which, though published in 1860, is all the more an authority for the confirmation of twenty years. The general law of limitation to the profitable cultivation of wheat is thus luminously stated: 'The wheat producing district of the United States is confined to about ten degrees of latitude and six degrees of longitude, terminating on the west at the 98th parallel. But the zone of its profitable culture occupies a comparative narrow belt along the cool borders of the district defined for inland positions by the mean temperature of fifty-five degrees on the north and seventy-one degrees on the south, for the two months of July and August. This definition excludes all the country lying south of latitude forty degrees, except western Virginia, and north of that it excludes the southern districts of Pennsylvania, Ohio, Indiana, Illinois and Iowa, while it includes the northern part of these states, Canada, New York, Western Virginia, Michigan, Wisconsin, Minnesota and the Red River and Saskatchewan valleys. In general terms, it may be stated that the belt of maximum wheat production lies immediately north of the districts where the maximum of Indian corn is attained.' \* \* \*

"Will the great interior of the continent contribute to our exportations of wheat and its flour? I refer to the territorial organisations of Montana, Idaho, Wyoming, Colorado, Utah and Nevada. Let us take the most favoured of all, Montana. Grand as are its resources, I am constrained to believe that only one-thirteenth of its surface is within reach of the unavoidable condition of irrigation, and that the mountains, with their mineral wealth, and the uplands as grazing grounds for cattle and sheep, will be the chief theatres of industrial activity. After careful enquiry in 1868, as United States Commissioner of mining statistics, I committed myself to the following statement: 'The area of the territory (Montana) is 146,689 35-100 square miles, equal to 93,881,184 acres—nearly the same as California, three times the area of New York, two and a-half that of New England, and yet no greater proportion is claimed by local authorities as susceptible of cultivation than one acre in thirty, or a total of 3,346,400 acres. Of course a far greater surface will afford sustenance to domestic animals. The limit to agriculture, as in Colorado and New Mexico, is the possibility of irrigation.' \* \* \*

It is the crowning feature of the 'fertile belt' which broadens with reduced altitudes and constant air currents from the Pacific coast, that the immense trapezoid, whose apex is bounded on the Mackenzie, has a sufficient quantity of summer rains for all the purposes of agriculture as organised in the Atlantic and Mississippi States.

"I have no pride of opinion as to the accuracy of an impromptu estimate of proportions north or south of the boundary. I would cheer-

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fully waive it, confessing to an arithmetical inaccuracy, if assured of a general acceptance of the opinion with which the article of the *Pioneer Press* concludes, namely, that 'in the Hudson Bay Territory, outside of the old Provinces, 200,000,000 acres are adapted to wheat raising.' That admission is more than enough to justify a railroad policy, which will push, within ten years, the locomotive from Winnipeg fully 1,200 miles beyond its present bourne on Red River."

Now, Sir, let us hear what was said by Mr. James Biggar, a delegate of the tenant farmers from the Stewartry of Kircudbright, Scotland, upon his return from Canada, at a meeting in the Town Hall, Castle Douglas, on the 22nd December last:

"As a field for wheat raising I would much prefer Manitoba to Dakota. The first cost of land is less; the soil is deeper and will stand more cropping; the sample of wheat is better, and the produce five to ten bushels per acre more, all of which is profit; and as soon as the new railway is opened the cost of delivering it at the seaboard will be the same or less. The average crop of the United States is surprisingly low, the returns for a good many states being as low as twelve to fourteen bushels per acre; this evidently does not pay the grower, and many are therefore giving up wheat, and going in more for other branches of farming. Much of the wheat producing land in the east being thus, for a time at least, exhausted, supplies will have to come from the virgin soils of the west; and as these are rapidly undergoing the same process, the farmers of the United States will, before very many years, be very much on a level with the farmers of this country. The virgin soils of Canada are, however, much more extensive, and will probably be able to send us wheat when the United States have ceased to be an exporting country. We saw land which had been in wheat from thirty-five to fifty years, and took samples of the wheat soil and subsoil. We also saw some first-rate turnips. We did not see any signs of manure being applied, though we saw manure heaps, the accumulation of twenty years. As there is no decrease of crops the natives do not think it necessary to use manure yet. On the whole, I was favourably impressed with Manitoba, and the other delegates whom I met expressed the same opinion. No one who sees the immense extent of fertile soil and the excellence of its products can doubt for a moment that there is a great future before that country."

Mr. Biggar states that wheat in Manitoba was selling at 70c. a bushel, leaving good profit to the grower, and, at that price, would cost, delivered in England, about 4s. 6d. a bushel, a price which would not pay the English farmer for raising wheat at home.

"As a field for money-making and enterprise we consider the North-West decidedly the best part of the Dominion; and those who are will-

ing to face the difficulties and disadvantages of pioneer life—difficulties and disadvantages which will be rapidly overcome, and which are nothing to those which the early settlers in Ontario had to contend with—have every prospect of success and independence. It would be a great mistake to suppose that I recommend Manitoba to all who think of emigrating. The propriety of going there depends very much on the means and habits of the emigrant; but young people with health, energy, and some means, accustomed to work, would certainly improve their position and do well. There are many families, too, who may be working as hard here, without making things any better, as they would have to do there, for whom the change would be a good one.”

Referring to improved farms in Ontario, which he thinks a certain class of intending emigrants would do well to purchase, he says :

“We visited Niagara, and were much impressed with the grandeur and magnificence of the falls. The surrounding country is very fine and largely devoted to the growing of fruit. The neighbourhood of Grimsby and St. Catherine's are also famous for apples, some farmers growing 2,000 to 4,000 barrels, worth 6s per barrel. The whole of the western peninsula of Ontario is fine, and we would have liked to visit the counties of Kent, Huron, Wellington, Grey and Bruce, all of which are fine lands, but the ground being covered with an early fall of snow, we had to give up that idea. A fine stretch of land lies all the way from Kent to Lake Huron; the County of Huron being recently settled, land is cheaper than in other districts, and very good land can be bought at £5 to £10 per acre. East of Toronto, along Lake Ontario, there is some good land, especially in the neighbourhood of Markham, Whitby, and Port Hope, prices reaching £16 to £20 per acre. The land round the bay of Quinte, is considered the finest barley soil in Canada, and large quantities of barley are grown and exported to the United States. Some farmers here grow barley on half their farm, and keep very little stock. The crop ranges from 30 to 50 bushels per acre, worth 5s to 70 cents. \* \* \*

“We have already noticed Manitoba, and may now confine our remarks to the older Provinces. Of these Ontario and the Eastern Townships of Quebec impressed us very favourably. A great deal of Western Ontario would compare very favourably with some parts of England. The land is good and fairly managed, there is a nice proportion of timber, and the farmers' houses are in many cases exceedingly neat and comfortable. They have, in fact, an air of refinement and prosperity beyond what we expected in a comparatively new country. We believe it would be hard to find in any country of similar size so many men who have done as well as Ontario farmers. Many who went out thirty to forty years ago with nothing, now own farms and stock worth £2,000 to £6,000.”

Another delegate, Mr. George Cowan, of

Wigtownshire, says of the farm of Mr. Kenneth Mackenzie; a Scotch emigrant, who settled first in Guelph, Ontario, and thence removed to Manitoba, where he is the proprietor of about 18,000 acres :

“I was certainly surprised at the wonderful fertility of the soil, which is a rich black loam, averaging about eighteen inches of surface soil, on friable clay subsoil, five and six feet in depth, beneath which is a thin layer of sand, lying on a stiff clay. The land is quite dry, and is well watered by a fine stream which flows through it. \* \* \*

I went over a large field of 180 acres on which had been grown this year a heavy crop of wheat and barley, this season's crop was the ninth in succession without any manure; indeed it appeared to me that it would not require any for many years to come, and that its fertility could be renewed at any time by bringing up an inch or so of new soil. It was quite a sight, and would gladden the heart of any farmer, to have seen the various stackyards on the farm, taking into account the comparatively limited quantity of land at present broken up. Mr. Mackenzie, when turning over the virgin soil in the early summer, merely pares the surface, he then backssets the furrow after harvest, ploughing about a depth of three inches, turning over a very broad furrow, varying from twelve to sixteen inches in width, and so far he has not yet exceeded a depth of four inches on any of his land. He considers the fertility of his land is practically inexhaustible, as in his opinion the friable clay underneath the surface soil, after a little exposure to the action of the atmosphere, will be as fertile as that above it. With respect to the yield of his crop, he favoured me with his average for the seasons of 1877 and 1878, and his estimate for the present year; these were as follows :—Wheat crop, 1877, averaged 41 bushels; 1878, 36 bushels; this year he expects it to be close on 40 bushels per acre. The variety grown is called Rife wheat, which has a hard, flinty plump kernel, reddish in colour. The average weight is from 60 to 62 lbs., but has grown it as high as 64 lbs. per bushel. His estimate of the oat crop for this year is from 75 to 80 bushels per acre, weighing from 34 to 35 lbs.; last year he had a yield of 83 bushels from two bushels of seed sown on an acre; has grown potato oats of 42 lbs. and upwards, but considers he is better paid by the extra yield from the black tartarian. His barley this year he expects will be from 40 to 45 bushels, of from 50 to 52 lbs.; the variety sown is 6-rowed. He drills his seed in as follows :— $\frac{1}{2}$  to 2 bushels wheat, 2 bushels of oats, and 2 of barley per acre. The wheat is sown from 15th April to 12th May, oats up to the 25th May, and barley from 24th May to 8th and 10th June. Reaping generally takes place in August. The Manitoba wheat is much prized by millers in the United States for its superior quality, and brings the highest price in the market. \* \* \*

During our drive along the Red River to the Springs we passed through the well-known Kildonan settlement, one of the oldest in the province, and which

was settled on as far back as 1812 by a colony of Scotchmen taken out by the late Earl of Selkirk. The soil in this district, bordering on the Red River, is a loamy clay of great depth and very fertile. The crop this season had of course been gathered long before the period of my visit, but the strong and thick stubbles showed that it had been a good one; and I was told that it would average at least 28 or 30 bushels of wheat per acre.

\* \* \* I was very highly impressed with the fertility of the soil, some of it being without exception the richest I have ever seen, and I have little doubt it will continue for many years to produce excellent crops of grain without any manure, and with very little expense in cultivation; and I would say to any one blessed with health and strength, who is possessed of moderate means, and who is of sober and industrious habits, that in Manitoba or the North-West he would have no difficulty in realising a competency in a very short time, and in many cases, in a few years, a fortune. For example, 160 acres of land is now being offered by the Canadian Government free on the condition of settlement, and 160 acres more at a price that would not amount to one year's rental of very moderate land in this country. Of taxation, meantime, there is almost none. \* \* \*

I will only further remark, that in my opinion, a very great future awaits Manitoba, and the Canadian North-West. Its boundless prairies will soon be brought under cultivation, and when opened up by railways, and also by water communication through the Hudson Bay direct to this country, it will become the granary of the world."

Mr. Gordon, of Annandale, says :

"I now come to the important questions—Is Canada the place to emigrate to? and, if so, which of her Provinces is the most desirable? The first question I will answer in the affirmative, (1) because of its boundless extent of cheap and at the same time fertile lands; (2) because of its proximity to our own country, and therefore to the best market in the world! (3) because of the similarity of its people to ourselves; and (4) because of its loyal allegiance to the British flag. The second I will leave you to decide for yourselves, after pointing out shortly the advantages and disadvantages of each Province as I was able to discover them. The capital required varies, of course, according to the system adopted and the district chosen, and may be roughly estimated at from £3 to £30 an acre. This includes the first cost of the land. After that, of course, there is no rent to pay. Land, however, can be bought to be paid in a certain number of years, with interest on the unpaid portion. \* \* \*

Then, gentlemen, if any of you can make up your minds to leave the shores of your native land to find a home on Canadian soil—if you can make up your minds to face the inconveniences and hardships I have endeavoured to portray—and if you come to the conclusion from these remarks of mine, and from information you have gathered or can gather from other sources, that you can better your position by going there, I may tell you that you will go

to reside among a people in whose veins runs the blood of your own ancestors—a people strong in the hope that a great destiny awaits their country—a people peaceable and law-abiding—a people of like aspirations with yourselves in social and intellectual life, who will extend to you the right hand of fellowship with a vigour and an earnestness which will cause you almost to blush."

Mr. Elliot, of Stow, says :

"The Dominion of Canada, from the energetic nature of its people and boundless resources of every kind, has a great future before it. With regard to farmers emigrating to the Province of Ontario, or the Eastern Townships, Province of Quebec, I have not the slightest hesitation in recommending them to do so; as I am satisfied from what I saw, that men with moderate capital could do better than at home; and that for several reasons. In the first place, you can buy and stock a farm for little more than it takes to stock one at home; then there is no rent to pay, and taxes are very light; they do not exceed from 4d. to 10d. per acre, according to the value of the property."

Mr. George Hutchinson, of Penrith says :

"The great wealth of the Dominion of Canada undoubtedly is in her soil. Although only a new country as compared with others, she is already well-known as a great meat and corn producing country. There is not, I believe, a more contented man in the world than the owner of this soil; he may not have command of as much capital as some English farmers, nor does he keep his land in such a high state of cultivation, yet the land he works is his own, his taxes are light, and as a rule he is a happy and independent man. \* \* \* To the labourer or farm servant who may think of going to Canada with little spare cash after his passage is paid I will say, you will find plenty of employment in Ontario or the Eastern Provinces at about the same wages as at home, if employed by the year, and in Manitoba at a little more, with the prospect before you of free education for your children and the probability of becoming by industry and perseverance your own proprietor even of a farm. As will be seen by the Land Regulations the Government make you the offer of 160 acres of land free, only I think a man without some capital would be better at first to hire himself to others.

"To the farmer with from £200 to £500 in his pocket, who may think of going to Canada, I would say, you will find plenty of partially cleared farms for sale at all prices, and I would advise you to look well about you ere you buy, as you will be one the worse of even a year in the country working to others, and if willing to rough it a little for a time, by all means go to the North-West at once, and I am pretty sure you would soon find yourself not only your own laird, but independent.

"To the farmer with capital, I would only say, if he be well at home and have no cause to change, he should remain; only if anxious to try to better his condition more

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quickly and independently than he is likely to do at home for some time to come in farming, he will find either in Manitoba or Lower Canada, plenty of scope for his energies, and a good deal more interest for his money. He will find himself surrounded by his own countrymen, go where he will, all anxious for the prosperity of their adopted country, and all loyal sons of their Mother Country."

The testimony of all the delegates was to the same effect as that which I have produced. It is in regard to statistics and statements like those that I have brought forward that the visit of the Commissioners and tenant farmers to our country becomes of incalculable importance, and I cannot but wonder at the persistence with which gentlemen possessed of any spark of patriotism still cling to a partisan and narrow view of our position, and endeavour to decry the advantages which we offer in aid of the solution of the grave and pressing question which is forcing itself upon the attention of British statesmen, and eventually override all party topics. I trust, however, that nothing that I have said will be construed to intimate in the least degree that there is any sign of decadence in the prestige and power of Britain.

"Her soil is still of worth,  
She hath not lost the habit  
Of bringing heroes forth."

I cannot doubt, Sir, that under God, the United Kingdom is destined to continue in ever-increasing degree the great centre and treasure-house from which will be disseminated the beneficent principles of religion, of liberty, of law and of philanthropy, which have made the English name honoured and revered wherever those great chief elements of the highest development of the human race are recognised and understood; and that no unimportant part in seconding the extension of those principles is to be played by the illimitable region which it is our mission to present to the Mother Country as a home for her overcrowded millions. The magnitude of the subject, and the momentous consequences that logically may be deduced from the facts that I have presented, cannot fail to arrest the serious attention of the country, and of the representatives of the people who are sent by them to this House as a Committee to look to the interest of the Dominion. I am aware that I have presented it very briefly and imperfectly, but if it has ob-

tained a hearing, I shall not have spoken in vain; and in view of all that I have shown, I cannot believe that we shall not be able to utilise our resources in such a way as to carry our railway policy to successful completion without adding to burthens of taxation which, I may say, in passing, are light compared to those of any other country which offers inducements for emigration. It seems cowardice to imagine that, with all those resources, and with the credit of the Dominion improved and improving, through the declaration that the Government intend to vigorously prosecute this work, we should not be able to complete it and fulfil our engagements. If it is not desirable in regard to the execution of our engagements, or on other grounds than our inability to complete it, convince us of the fact—there would be some force in that argument. But, to say, that the Dominion cannot do what three men did in California, who built a line across the Sierra Nevada, a far more formidable route than that through the Cascades and Rocky Mountains in British territory—would imply that we do not deserve the advantages promised by such an enterprise, and we certainly do not, if we have not the courage to grapple with it manfully. I assert, Mr. Speaker, that the half-hearted policy which has characterised hon. gentlemen on the opposite side from the very first, is indicative of what they intend now to press in this House. I believe that within a few days we shall have that policy defined. I trust the remarks that I have made in respect to the position which England must necessarily occupy to this great West, may have some influence on hon. gentlemen on this side in sustaining our friends in their arduous undertaking. This undertaking is made more arduous by the unpatriotic conduct of the Opposition, as manifested by the hon. gentlemen who have spoken on the land policy of the Government to-day. It has been made difficult by the constant endeavours of my hon. friends on the other side to belittle and deride the resources of the country. It has been made difficult by the persistent efforts of the Opposition to prevent the due development of the prosperity of this country; to obstruct the policy of the country by their threats that, if they unfortunately succeed to power they will reverse that

policy. Capital is sensitive, and business men who are just now rising from the commercial depression are met at this moment by representations that the country is in a state of ruin, that the policy we have adopted is a disastrous one, and that the hon. gentlemen on the other side are pledged to reverse it. They may take that position and we will take ours. I believe they will be perfectly powerless to prevent the prosperity which is coming upon the country. Nobody pretended it was to come in a day. It is childish to talk about a great public policy being adopted at night and showing its results the next morning. I am surprised that those gentlemen are so fatuous as to commit themselves to that position, for I assure them we will hold them to it to the very letter. I desire to say also, that there is nothing speculative or exaggerated in the statements that have been made as to the power of the great North-West to enable us to construct the Pacific Railway. The land in that country, if it is properly utilised, and if we can have anything like fair play from the hon. gentlemen on the opposite side, will enable us to bring to a successful completion the work which they have left upon our hands. The hon. gentlemen changed the whole character of our obligations. They were not bound by them, they need not have gone on with this work, but they chose to assume it as a Government work. It is not long ago since I had an opportunity of showing to this House the manner in which my hon. friend the late Minister of Public Works, now leading the Opposition (Mr. Mackenzie) had done his part of the work in respect to the contracts between Kaministiquia and Red River. We have his burthensome legacy on our hands, and I believe we shall be able to sustain it. I was glad to hear to-night the encouraging words uttered by the right hon. the Premier (Sir John A. Macdonald.) The whole House on our side—the great majority—responded to him as one man, and will sustain him as one man. My hon. friends have reckoned without their host, if they suppose that they can bring forward any resolution which will deter our hon. friends on the Treasury Benches, from carrying out the scheme which they have taken upon themselves; my

hon. friends are mistaken if they supposed they will find any weakening on this side of the House in respect to that policy. They will find the Conservative party a unit on that question, and the day is far distant I trust, when any disturbance can be made in its ranks, either in this House or the country, by the resolutions now brought forward, or any other resolution which is promised to us, no matter how it may be intended to catch the ear or effect the judgment of gentlemen who are working with us. We know where we stand, and I believe we shall be able to show the hon. gentleman how egregiously they have been mistaken in the disposition of the country and of this House, to sustain my right hon. friend and his colleagues in the liberal and enlightened policy they have adopted for the development of the North-West, and the construction of the Pacific Railway in the best and truest interests of this Dominion, and of the fair land beyond the sea, to which she owes and yields the truest and most unchanging fealty.

MR. TROW: It was not my intention until this morning to say anything on this subject. I do not think anything further need be said after the able and exhaustive speech of my hon. friend from North Norfolk (Mr. Charlton), which I think was sufficient to satisfy every unprejudiced member of this House that, the policy of the Government, in reference to the disposition of the land in the North-West and Manitoba, is not a good, desirable or safe policy to adopt. In travelling through that great country westward, leaving the city of Winnipeg about seven miles distant, you come upon a tract of country that is totally undeveloped for a stretch of forty miles, without seeing scarcely a single inhabitant or a single acre of land under cultivation; and the question arises, what is the reason that this section of the country is not settled, while thousands of settlers are located further west. The land is all that could be desired and centrally located. The answer is simply that the greater portion of that tract was a reserve of 1,400,000 acres the Government appropriated to the half-breeds, and has been since sold by them to speculators, who hold, probably, four-fifths of the whole of that reservation. Travelling through the country, isolated

settlements here and there are found like so many oases in the desert, and the people are very discontented in consequence. From Poplar Point to Portage la Prairie, or even to Rat Creek, we pass through a flourishing settlement, many thousands of acres under cultivation, thousands of bushels of grain ready for market immediately after harvest, yearly; but it is utterly impossible, on account of the bad state of the roads, through non-resident lands, for the farmers to carry their produce down to the city of Winnipeg. It is nearly sixty-five miles from Portage la Prairie to Winnipeg, and the greater portion of their produce remains in their barns, or under the straw stacks, until the following summer, on account of the state of the roads, and the poor settler is frequently under the necessity of borrowing money to tide him over winter. For the last three or four years the seasons have been unusually wet, consequently the roads have been in such a state that it is almost impossible even in summer to take produce to market. I have had a little experience in Western Canada during the last thirty years, in reference to non-resident lands, and the undeveloped state of the country where large monopolies were in possession of large limits. The hon. member for North Norfolk (Mr. Charlton) said, that the Canada Company had large limits in Western Ontario. I am aware of that fact. Being a representative from that section, I know from experience, that they have large limits; something like a million and a-half acres originally was granted to that company. Having some municipal experience for a quarter of a century, I know that no company contributes a just and fair proportion of taxation. I am aware that even in the county of Perth, that Company value their wild lands in some municipalities at from \$20 to \$30 an acre, which they purchased for one shilling and ten pence sterling. These lands are improved in value yearly by the labour, push and perseverance of the actual settlers. I am aware that in no instance are non-resident lands assessed as high as the lands of residents. We frequently find that municipal corporations attempt to assess these lands on a par with that of residents, but invariably fail, even if an appeal was made to those in authority. These companies find some loophole

to escape being properly assessed. In one township lands are offered for sale by this same company at \$20 per acre, and assessed at \$1 per acre. It is impossible to get a school section formed, or to get roads kept in a proper state of repair, through these non-resident lands. The hon. member for Niagara (Mr. Plumb) states that there are lands enough in the great North-West, and it was a matter of indifference who gets them. I dissent entirely from that erroneous view. I think it is much better to have the lands settled and located by honest *bona fide* settlers, who will become contributors to the revenue of the country, who will become producers, and contribute to enrich the country. The hon. gentleman was unfortunate in his remarks about one Kenneth Mackenzie who, he said, had located about 2,000 acres in the North-West. I had the pleasure of visiting that gentleman on my westward trip. The hon. gentleman also stated that he (Mackenzie) had five sons. Well, 2,000 acres for himself and five sons is not a large territory. Mr. Mackenzie was possessed of large means when he left Ontario, and has done, probably, more good than any other settler in the North-West, in introducing improved breeds of stock as a practical farmer. The speech of the hon. member for Niagara (Mr. Plumb), it struck me forcibly, was more about Protection and the balance of trade—imports and exports with Great Britain—with an occasional fling at the policy of the late Administration in their construction of the Pacific Railway. The hon. gentleman wandered away and scarcely once alluded to the subject under discussion. The hon. mover of this resolution complains that the lands are sold to non-residents; he is afraid that large monopolies will be created by this policy. He also complains in his resolution that non-residents, or men of means residing in other parts of the Dominion, or even in the United States, can monopolise large tracts of land on payment of one-tenth down, and keep the lands out of market indefinitely. The hon. member for Niagara has stated that Mr. Taylor, the United States Consul, in describing the North-West, states that the climate is something similar to that of Toronto. No doubt the atmosphere is very invigorating and healthful. It is true that

it is somewhat warmer in summer, perhaps, than in Toronto, and possibly somewhat colder in winter, but the weather is regular, not subject to such sudden changes as we find in the Province of Ontario. The hon. member for Niagara seems to think it would be an easy matter for the Dominion to construct a railway across the continent, since the United States had done so. But it must be remembered that the United States did not succeed in some of their undertakings. The Northern Pacific Railway has been a failure so far, notwithstanding all the resources of the Government, and of the great capitalists of the country, who have afforded it assistance. The failure of this scheme brought about the financial crisis in the country. They had only constructed a few hundred miles of that road when the crisis came, and the result was that there was a money panic throughout the whole country. If the United States, with all their resources, failed with their wealth and a population of fifty millions of people, how can we expect to complete a similar work, a work of greater magnitude, with a population of only four millions? The right hon. the Premier, I must say, made an extraordinary speech, and I consider that he travelled a little outside the record in replying to the speech of the hon. member for North Norfolk. My hon. friend from North Norfolk, spoke chiefly about the danger of creating monopolies in the great North-West, and I do not think he has been answered on that point, either by the hon. the Premier or by the hon. member for Niagara. They say there is plenty of land and they digress a little from the question, and talk about the expense of constructing the Pacific Railway. I think they are anticipating the future discussion on the Pacific Railway, for the purpose of producing some effect on the minds of hon. gentlemen in this House. But in reference to this Pacific Railway, not one I understand, not even the most eminent engineer, can give us an approximate idea of the magnitude of that undertaking. It is true, that for the first twelve hundred miles across the plains, until you arrive at the mountains of British Columbia, the railway may not be very expensive to construct, and the balance of the road through that

sea of mountains, all eminent engineers agree, must be very expensive. I have heard it stated, that it would cost \$50,000,000 to construct the road through British Columbia to the Pacific Ocean alone. At all events, that is nothing to do with the question before the House. The question is, whether the right and proper policy for the Government to pursue, is to sell large tracts of land to any one individual, or any company. I think I heard it stated, when I was in the North-West, that there was one gentleman in the city of Winnipeg in possession of 50,000 acres of land. The hon. the Premier said it was contrary to the law and land regulations that any one individual should hold more than one section—that is, 640 acres. I think it is possible for a person to get all the land he wants, if he has the money to pay for it. The land regulations are that one individual can only hold one section it is true, but, at the same time, he can take a dozen of his friends or associates into the land office with him. He could purchase land, 640 acres for each individual, and immediately after coming out of the office transfer it to himself. Any person could get any reasonable quantity of land in any section of the country in this manner. A few years ago a number of Mennonites settled in Manitoba. There were sixteen townships set apart for them in one settlement, and on fifteen of the sixteen townships there was not a single tree, and it is questionable, in my mind, whether a single inhabitant in Ontario or in any of the older Provinces would have settled on that tract of land. Now we find they have upwards of fifty little villages dotting the prairie. It is only a few years since a discussion took place in this chamber on the subject of encouraging Mennonite settlement, and many hon. gentlemen are here now who opposed the grant or loan, that was made to these Mennonites, of \$100,000; they only received \$85,000. It was not a grant, it was a loan, every cent of which will be honourably repaid. We find that these people, who went there without friends or a knowledge of the country, among strangers, destitute of means, have now 14,324 acres under cultivation; they raised last year 127,407 bushels of wheat, and that the total value of their crops is

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\$134,483; the value of their stock was \$204,200; and the value of their buildings on the farms, \$134,200. Now, if these sixteen townships had been taken up by non-residents, the value of that land would not have been increased, but by the surrounding developments. They probably could have purchased that land for 30c. to 40c. per acre, which now is worth from \$3 to \$4 per acre. The 1,400,000 acres which were set apart as a reservation for the half-breeds, is yet barren of settlement, a perfect waste. It strikes me forcibly that this reservation should have been retained, and under no circumstances should any transfer from a minor be tolerated or acknowledged by the Government. They should not have been given script, because that was disposed of to unscrupulous land-sharks and speculators, for absolutely nothing in many instances. The children of half-breeds disposed of their lands, and their parents went security that the contract would be carried out when they became of age, because a minor could not give a title to property. The result is that they received little or nothing, in many cases, for their portion of land, and all that tract of country is now unsettled—a total barren waste. The Hudson's Bay Company have very extensive limits. In the first place they received 50,000 acres in the most selected parts of Manitoba and the North-West; at the confluence of rivers or in locations where railways will likely be constructed; they have also two sections in each township, numbers eleven and twenty-nine, or the twentieth part of the whole territory. And the agreement is that they should make their selections in these municipalities at any time within ten years after the survey is made. The right hon. Premier made a very remarkable calculation in reference to the proceeds, which he expects to receive from the sale of lands, and the enormous, fabulous amounts he anticipated receiving from the *bonâ fide* settler. The whole proceeds, according to his calculation, was to be derived from the poor honest settler. I do not think he made any calculation in regard to the speculator. He stated that so many settlers would come in this year and so many next year, and they would purchase their land, for which they would pay on an average

\$3 per acre. They would also have the right to preempt 160 acres adjoining their homesteads, and the result was that a very large amount of money would be realised in a few years—some \$30,000,000 or \$40,000,000 by 1890. I would like to know what he expects to realise from the sale of lands to non-residents. I presume that the hon. the Premier concludes that the whole of that country is arable. I know there are gentlemen in this country who have issued pamphlets descriptive of that great country, and that those pamphlets have been purchased by the Department by tens of thousands. Many of those who wrote or compiled those pamphlets infer that the whole of the lands in the North-West are arable and adapted for settlement. I have travelled very extensively in that country, and I know some of those gentlemen who have issued pamphlets and written glowing descriptions of the great North-West know, comparatively speaking, nothing about it. There is one pamphlet which I know has been freely circulated, and which was written by a gentleman who had only travelled sixty-three miles in the country, but as a matter of course, must know a great deal about the fertility of that country for 1,500 or 1,600 miles distant. There are four or five pamphlets now in circulation, and I am prepared to state, that not one of the writers of these pamphlets has ever travelled a hundred miles west of the city of Winnipeg. I think we should not decry our own country. There is room for happy homes for millions of people in the North-West; but at the same time, there are millions of acres in that country, described in these pamphlets to be arable, which are totally unfit for settlement, absolutely worthless. We have certainly a great heritage in the North-West, and I hope the Government will adopt some reasonable policy to attract emigration to that country. I am not prepared to state what the policy of the United States Government is in reference to the disposal of its lands, but I know that I have frequently read and heard that their uniform price was \$1.25 an acre, and if that land remained in the market for five years, it was reduced 25 per cent. if for ten years, a further reduction of 25 per cent., etc., etc.



SIR JOHN A. MACDONALD: It is \$2.50 per acre now.

MR. TROW: I have no desire to contradict the statement of the right hon. gentleman, but at the same time I think I am perfectly correct in saying, that the United States Government charges \$1.25 per acre, and no more. Of course this is within certain described limits, and certain distances from railways. Is it reasonable to suppose that emigrants will go past these lands and not be induced to locate, because in the meantime until a railroad through our own country is made they have to pass through the United States, through millions of acres of similar land that we have for disposal, with equal or in some instances better privileges—that is in reference to price, railway facilities and convenience to markets. I do not think any better, in reference to quality of soil, can be procured on the continent than we have in the North-West, but I have no doubt that they can purchase that land much cheaper than they can our lands under the policy of the present Government, under which our lands for five miles on each side of the railway are sold at \$5.00 per acre; and from fifteen to twenty miles from the line, \$4.00 per acre; for another twenty miles \$3.00 per acre, and so on. I know that there are better provisions, and that lands are cheaper in many of the Western States than they are in our North-West, according to the figures laid down under the Order in Council, October, 1879. I hope the Government will reconsider that policy in reference to the sale of lands, because if a poor settler has got to homestead or pre-emption 110 miles from the line of railway, the only belt in which land can be purchased for \$1 per acre, it will require many years of toil, unremitting labour, push and perseverance, before he will have an opportunity of realising much from his place or getting facilities to convey his surplus produce to market. We have certainly a great heritage in the North-West; containing 2,750,000 square miles. Some writers imagine, and many believe, that the whole of that is arable. I travelled from the Hudson's Bay post, at Ellice, for over 150 miles, to Touchwood hills, and it is questionable, in my mind, whether a very large portion of that tract is arable, or

adapted for successful colonisation; and beyond the Touchwood hills, we cross the Salt plains, which extend probably for fifty miles, in which there is neither wood nor water; and from the 49th parallel of latitude or boundary line, stretching to the line of the Pacific Railway and extending nearly to the base of the Rocky Mountains, will be found unsuitable for settlement. That constitutes a very large tract of country.

MR. PLUMB: There is plenty without it.

MR. TROW: I am quite aware of that; but hon. gentlemen exaggerated the extent of and fertility of that great country. The unbounded resources of that country is certainly a great heritage; we need not exaggerate, our limits are certainly enormous. We find by calculation that it is 1,375 times larger than Prince Edward Island; that it is 192 times larger than Manitoba; 126½ times larger than Nova Scotia; 100 times larger than New Brunswick; 14½ times larger than the great Province of Quebec; 25½ times larger than the Province of Ontario, prior to its last acquisition by the late Award, by which it acquires 85,000 square miles more. I have considerable confidence in the ability of the hon. the Minister of Emigration in this matter. But it certainly would be agreeable and result in much good, if the hon. gentleman would visit these settlements in Manitoba and the North-West and see for himself, what the resident occupiers of the soil can do for a country, in preference to the non-residents who are drones in the hive of busy workers and who speculate on the exertions of the poor and honest settler. I am aware that there are non-residents who will and have purchased lands in Manitoba, and who are now offering their land for sale at an advance of from \$2 to \$4 per acre. Even in this city lands in Manitoba are sold at fabulous prices by speculators, who have been purchasers at from 30 to 40 cents an acre. While I was in Manitoba I was offered fourteen different claims of 240 acres each—or 3,360 acres—for \$1,000 cash, and these claims no doubt now would be worth from \$4 to \$6 an acre. At that time I was writing against land-sharks and speculators and I was determined that I would be consistent, at all events would not specu-

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late in land. It has been stated here, and in my county frequently during the elections, that I hold very large limits in Manitoba. The extent of my limits is 320 acres; at the same time I was in possession of means and every facility for purchasing large limits, but I declined doing so, being convinced in my mind that the land should be kept for the poor and honest settler. We find that the Americans "euchre" us in many respects with reference to the sale of lands. They have their paid agents in all parts of Europe. I am informed that these railway companies have their agents located at every station on the leading railways in Europe. There are over 1,000 paid agents in the Old Country. The intending settler can hardly land from the Old Country at Point Levis before the American agent endeavours to entrap him into the purchase of lands from his company. They offer special inducements to settlers, and in hundreds of cases they have succeeded in entrapping settlers who started from the Old Country with the intention of settling in Manitoba. Mr. J. Dyke, Dominion Emigration Agent, Liverpool, in his able report says:

"A considerable proportion who passed through this office proposing to go on to Manitoba, and, as a rule, had substantial capital, but I regret to state that many of them were intercepted on their way by emissaries of Dakota or other land agencies, and by representations, more or less highly coloured—to apply a mild phrase—led away from their proper destination. With the view of checking this to some extent, I have advised all subsequent emigrants for Manitoba and the North-West, to obtain drafts for their money on Winnipeg city, and this when done, at all events necessitated them visiting the capital of that Province; but, in some instances they have actually been followed as far as Winnipeg and taken out of the Province."

I also find in the report of Mr. Wm. C. B. Grahame, Dominion Emigration Agent, at the port of Duluth, the following:—

"On the Northern Pacific and St. Paul and Pacific Railways agents are employed either by the railway companies or by land speculators, who give emigrants a glowing description of lands for sale in Minnesota and Dakota, and who paint their superiority to the Dominion of Canada in strong colours."

Is it any wonder that they settle in the United States? They and their families, when their means are exhausted, sick and

fatigued after a long voyage, they are glad to settle somewhere, and the result is that thousands are induced to settle in the United States, who started with the intention of settling under the British flag. In my own neighbourhood there is a gentleman who is employed by these American companies, and receives 2½ per cent. for all the capital he gets to go over into Nebraska, Dakota and Minnesota. In one municipality alone, in the North Riding of Waterloo there are fifty good farmers that have disposed of their property and taken out of the country a large amount of capital and settled in Nebraska. We should have some means to counteract this tide of emigration continually moving and swelling the American Union. The lands in Manitoba will, ultimately, be good; but it requires a great amount of labour to make the lands dry and fit for cultivation. If there was a possibility of taxing non-residents it would be all right, but I have never yet seen that accomplished successfully. I have tried to do it for the last twenty-one years as a municipal officer in my county, but never yet succeeded in making non-residents pay one-third of the taxation that was imposed upon residents; and it will be the same in Manitoba. It is the greatest grievance that could exist to have a lot of speculators holding these lands from honest settlers; it would be much better to give the whole of the lands to actual settlers for the price of the survey alone, than to sell to speculators and land-sharks at any price. It is hard enough for the settler to go up there and have to pay about 200 per cent. higher for everything, in the shape of lumber and every article of husbandry he may require, the expense of transport being enormous on account of bad roads. The trails are strewn with broken vehicles, dead horses, etc., the traveller being reminded of the battlefield of Waterloo. The right hon. Premier stated that 20,000 settlers had gone to the North-West this year; but on a careful calculation, made by an energetic agent who resides in Duluth, and who is daily on the trains, it being his duty to go with the emigrants down the Red River, he says, in his report, that the number of souls arriving at Manitoba, via Chicago and St. Paul, in 1879, was 7,893, and via Duluth, 3,488, making a

total of 11,381 that went into the country last year. We know that a great number of these were visitors, hundreds of whom returned. We find by the report of the hon. the Minister of Agriculture, already alluded to, that there were only 30,717 emigrants came into the Dominion altogether; and I find on the other hand, to counterbalance this, that there were 23,256 settlers left the Provinces of Quebec and Ontario, and located in the United States, and remained there; we find there were 4,072 left Nova Scotia, and located in the United States; and from the Province of New Brunswick, 2,691 left and settled in the United States; from Prince Edward Island, 557, and from British Columbia, 580 went over to the United States, making a total of 31,156 who left the Dominion last year, and settled in the United States; leaving our population, from immigration, 439 less for the year 1879, 439 more having gone out, than came into the country. I hope that the expectations of the right hon. Premier, in reference to his wild calculation of the numbers that will locate in the North-West for the next ten years, will be realised. I know there are lands enough to give comfortable homes for as many as can be induced to go to the North-West; and I do hope that the hon. the Minister of Agriculture and the Executive will use their utmost endeavour to induce settlers from the surplus population of the Old Country, to locate in the North-West. There is a great movement from the Dominion to settle in Manitoba. The hon. the Minister of Agriculture, last year, adopted a plan encouraging a number of practical farmers from England, Ireland, and Scotland, to visit the older Provinces and Manitoba, whose reports were circulated in the newspapers in the Old Country, and all over Europe. The people of the Old Country particularly the tenant farmer are in a fit state now to be induced to come out. Times have been very hard also upon the poor labouring men and there are good homesteads for them as well as the tenant farmer in the older Provinces, and the best settlers for the North-West are settlers from these Provinces if we could but induce the tenant farmers from England, Ireland, and Scotland to come and take their places. These latter could not so well endure the

North-West, they could not so well endure the hardships; but here, in the older Provinces, they could get a homestead, without considerable outlay, in the midst of civilisation, convenient to markets and railway facilities. There is one great reason why these tenant farmers should be encouraged to settle here and that is: we have been establishing a large trade in the Old Country for our surplus stock. In the last year we find that there was sold in the English markets, from the Dominion, 25,009 head of cattle, 80,332 sheep, and 460 horses, amounting in value to an aggregate of \$3,199,306. This is a trade which should certainly be encouraged. Our land requires a different system of farming in the raising of stock. It will be much better for the tenant farmers to procure a comfortable home in the older Provinces than by going to Manitoba and the North-West. I have had occasion to travel a little in the Old Country, and I know—as many hon. gentlemen who have visited France, Germany, Switzerland and Belgium, must know—that the people in those countries are very much better off, and are placed in much better circumstances, than in England, Ireland or Scotland; and I attribute their comfort and happiness—in France, Germany, Belgium, Switzerland and other countries, as compared with the United Kingdom—entirely to the distribution in those countries of land among the people. The order of the day in England, Ireland and Scotland, is centralisation and a monopoly of the land among the privileged class by the operation of the law of primogenitures the lands in the United Kingdom are kept in the hands of a few. In France there are 5,000,000 landed proprietors; and we find that when the late Minister in France called for a loan to pay the last instalment of that heavy indemnity imposed upon the nation, by the Prussian Government, he had not to go to foreign capitalists, to obtain the loan, but that 4,000,000 of their own citizens lent the amount, purchased stock or Government bonds, so that the interest, yearly accruing therefrom, was kept in the country as a benefit to the people themselves. In the western section of Canada, where I reside, the proceeds of the sales of land have been sent to London, England, for the last thirty or forty years: in the first place to the office of this land monopoly in Toronto,

and afterwards to England. It would be a similar result in this great North-West, unless the Government adopted a different policy. For illustration, I will give a few figures as to the ownership of the land in the United Kingdom: The total area of England and Wales, after deducting the quantity of land within the limits of the metropolitan, is 37,243,859 acres. Sixty-six persons own 1,917,076 acres; 100 persons, 3,917,646 acres; 280 persons, 5,425,764 acres or one-sixth of the whole; 523 persons own one-fifth of England and Wales; 710 persons own one-fourth; 874 persons own 9,267,031 acres. The woods, commons and wastelands are not included in these calculations. In the county of Northumberland, which contains 1,220,000 acres, twenty-six persons own more than one-half of the county. In England, one person owns 186,397 acres; another person, 132,996 acres, and a third, 102,785 acres. A body of men not exceeding 4,500 own more than 17,498,200 acres. In Scotland, the total acreage is 18,946,694 acres; one person owns 1,326,000 acres; a second person owns 434,000 acres; a third, 424,000 acres; and a fourth 373,000 acres. These four proprietors hold one-fourth of the whole. Seventy persons own 9,400,000 acres, or a-half of Scotland. Upwards of 2,000,000 acres has been depopulated in order to make extensive deer parks—many thousands of once happy homes taken from the poor to gratify the sporting ambition of the rich. The total area of Ireland is 20,159,678 acres. 452 persons own each upwards of 5,000 acres; 135 persons, each upwards of 10,000 acres; ninety persons, each upwards of 20,000 acres; fourteen persons, each upwards of 50,000 acres; three persons, each upwards of 100,000 acres; one person owns 170,119; 292 persons own 6,458,100 acres, or one-third of Ireland; 744 persons own 9,612,728, or a-half of the whole. In England, the twelve largest landed proprietors own 1,058,883 acres; in Scotland, the twelve largest landed proprietors own 4,339,722 acres; and in Ireland, the twelve largest landed proprietors own 1,297,888 acres. It is estimated that 7,600,000 acres of commons, which was held in common, has been enclosed by the rich taken from the poor in England and Wales, since the beginning of the present century.

It is estimated that the House of Lords own more than one-third of Great Britain, and two-thirds of it belong to peers and commoners, whose large estates are continually growing larger. In France we find a different system. Distribution is enforced; every child inherits a share of his deceased parents' estate; 50,000 proprietors are in possession of 750 acres each on an average; 5,000 proprietors have an average of 75 acres each, and 5,000,000 landed proprietors own, on an average, seven and one-half acres each, and in that country we find happy homes. You scarcely ever see a pauper in the streets of the cities or towns of Switzerland, France or Germany. Go to Ireland just now, and what do you find? Poverty and famine which appeals to the charitable and benevolent all the world over. If the landed proprietors of Ireland would remain in the country, instead of squandering the rents of their poor tenants in England and other foreign countries, Ireland would be much better off, money would be circulated there, where it is so much needed, and there would not be that poverty and wretchedness in consequence of the bad management of non-resident landed proprietors, which stares us in the face. I simply mention this to enforce the sentiment initiated by the hon. member for North Norfolk. I sincerely believe that no greater calamity could befall any nation than to centralise its lands in the hands of non-resident proprietors or great monopolies. I endorse the sentiments, so ably expressed in the resolutions, heartily, and concur in the wisdom of putting an immediate check upon the sale of lands in the North-West upon any other terms than actual *bond fide* settlement.

Mr. DOMVILLE moved in amendment that all the words after "that," in the resolution, be expunged, and that the following be substituted: "This House do now pass to the Orders of the Day."

Motion made and question proposed:

That this House do now pass to the Orders of the Day.—(Mr. Domville.)

MR. CASGRAIN: I have listened with a great deal of attention to the statements and figures given by the hon. leader of the Government, in his speech on this subject, and I would be very glad if I could concur in his views. At the same time, he did not condescend

to tell us the exact authority for his figures. There is such a great discrepancy in the views entertained by the engineers and men supposed to be perfectly conversant with this subject, that I cannot accept his figures, the more so as they appear to me as coming from sources that seem to be interested in setting forth his views in the best possible light. His figures are now in the archives of the House and will remain there, so that hereafter we shall be able to judge whether they will prove our condemnation or the justification of the hon. Premier in the statements he has made. I have made my own calculations, and we differ *toto celo* from one another, though I readily admit that the Premier's intelligence is so much superior to my own. His figures, however, are far below what they ought to be, I think. But, for a moment, I want to direct attention to their inaccuracy. I take exception to one statement of the right hon. gentleman, who says he expects in the next year 30,000 emigrants will go to the North-West. At this moment there is a fact staring the Government and all of us in the face, that every day at the railway stations you meet emigrants from Quebec going *en masse* to the United States. Why does the Government not stop them and direct them to settle in Manitoba? At this moment I have a letter from one of my constituents, whose opinion is of great weight. He is an old settler, well-to-do, and now is a Local representative from my county. He says that, at this moment, in his locality, one-third of the population are going away to the United States, and we are running after emigrants who are to settle in the moon! Why not take these people to the North-West, who are going to the United States. The hon. the Minister of Agriculture, ought to be in his seat now to give us some substantial explanation of these facts. It is very easy to dream of the future and build up visions as the hon. member for Cumberland (Sir Charles Tupper) builds castles in the air. Let us look at things in their true light, as business men. Let us look at our finances, and ask the hon. the Minister of Agriculture if he cannot stop this emigration to the United States. Can the Government not find the means of taking the emigrants to Manitoba, which is to be the great future country. Rather than

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dream of the future let us look at the present. It seems as if the Government were the sole owners of this North-West region. They ought not to forget that one-twentieth of it belongs to the Hudson's Bay Company, which is able to sell their lands and compete with the Government as private individuals. The profits of the Company can be better managed in their way than any profit attempted by the Government. The Government will have strong competition in these sales, as the Company can select one-twentieth of the best lands. We are working to-day in this matter, not so much for ourselves as in the interests of the Hudson's Bay Company. I sincerely hope that each party will treat this question in an enlightened manner, and not make it a party issue, so that if the country is going to ruin we may know it, that we may not be mistaken, and that we may be able to take the right remedies. The good sense and patriotism of the House should enable us to decide who is wrong, and reach conclusions desirable in the interests of the public.

MR. WHITE (Cardwell): I do not propose to detain the House more than a few minutes, on addressing myself to this question, the importance of which no one can over-estimate. What occurs to me is, that it is somewhat difficult to know the ground taken by the hon. gentlemen opposite. Some of the statements of the hon. member who has just resumed his seat are full of significance. He has just told us that, in connection with the settlement of the North-West, we have the competition of the Hudson's Bay Company. That is quite true. There is no doubt whatever that now the Hudson's Bay Company has begun to realise the fact that they have in that territory very important sources of wealth in their lands, perhaps quite as valuable, if not more so, than their old source of wealth, the fur trade, and they are adopting a policy of selling these lands, and encouraging settlement. But how that should be a competition with Canada I am at a loss to understand. Every settler that goes into that country, or is brought in by the Company, is a contributor to the wealth of the country, instead of being a competitor he is an assistance and not an injury to the Dominion. But the hon. gentleman says that there is

a very considerable emigration to the United States from a certain portion of old Canada, particularly from certain portions of Quebec. There is no doubt of this. There are two reasons for the movement. In the first, place there have been strikes in some of the manufacturing districts of the United States recently, and a large number of agents of manufacturing establishments have been going through the parishes inducing people to go to work in the place of the strikers. We see by the papers this morning that, in one place, there was danger of collision between the strikers and the French Canadians. Then I believe it will be found that this emigration is simply the order of spring emigration of Canadians, who are annually going to the United States to reside there temporarily, and that they will return. But in what way has the hon. gentleman (Mr. Casgrain) the right to complain that the Government does not induce these people to go to Manitoba, instead of the United States? What special advantages have they in the United States that they would not have in Manitoba? Those who wish to go to the manufacturing districts to obtain employment in the large factories will not go on land in either the Western States or Manitoba. And as to those who desire to take up land, there has been nothing advanced to prove that the condition of settlers is better in the United States than in the Canadian North-West. It is quite true, and, I think it is simply another illustration of what we have heard so much of this Session, that hon. gentlemen opposite, or some of them, are almost afraid that too high an opinion should obtain in connection with this country. They are alarmed that people may form too high an estimate of the country. The hon. gentleman from Perth (Mr. Trow) who, doubtless, knows a good deal of the North-West, made a statement, which I am bound to say, I was astonished to hear, that from the Touchwood hills to Battleford there was scarcely a foot of land fit for settlement.

MR. TROW : I said south of the railway.

MR. WHITE : Even that statement is hardly quite accurate. I happened to pass over the country last summer, between

Winnepeg and Carlton, and I found for 500 miles the quality of the land equal, on the average, to that of the country from Montreal to Sarnia. In some parts of that country, the land looked less fitted for settlement, when compared with the rich alluvial deposits of Manitoba. And yet near Duck Lake, where the land was precisely the same, we found large wheat fields, which I have since been told yielded, this year, thirty-five to forty bushels to the acre. But what is there in these land regulations which render them inferior to those of the United States? If we refer to the right of people to obtain considerable areas of land, we know that in the United States people have the same privileges, and do obtain these large tracts. I venture to think, that nothing has tended more to attract emigration to Dakota, than has the large Dalrymple farm of 40,000 acres worked by one man, and the fame of which has passed to every part of this continent. Every man who visits the North-West visits that farm as one illustration of what can be accomplished. This man is practically an emigration agent, perhaps more so than any ordinary Government emigration agent can be. There is another fact in connection with the settlement of that country. The most efficient emigration agents are not those appointed by the Government, but those whom one meets on the train travelling towards the west, who are to be found on steamers coming to this country, in the English and European cities, on railway and steamboat lines, and who are the agents of private transportation companies and of those speculators whom we have heard denounced as being injurious to the country; but who, by means of their systematic emigration agency, are able to outstrip any Government in the work of bringing settlers into the country. Everyone knows that Government emigration agencies stand at a great disadvantage as compared with private organisations, and it is greatly owing to the greater activity of these private organisations to the fact that the United States have placed in the hands of individuals, or companies, large tracts of land, and have delegated to those persons the work of settling the country and of introducing emigration that so much success has been achieved. That is

the chief cause why the bulk of emigration has been going to the United States. When I was going to Manitoba last summer, I met on the cars, between Pembina and St. Boniface, a man who made a dead set upon three or four well-to-do families who would make most desirable settlers. This man talked against Manitoba and the land regulations, taking for his authority the *Toronto Globe* which he had in his hand, to prove that the country was unfit for settlement, and he offered to conduct them himself to more desirable farms in Dakota where they could settle. I found this man was not a Government, emigration agent, but an agent of just that kind of private organisation which hon. gentlemen opposite so greatly deprecate in connection with the settlement of our own North-West. To this class of agencies has been largely due the fact that the Western States have been able so far to outstrip us in emigration matters. But we should remember that we are only opening up this country. Until last year we could not, without great difficulty, go into the country at all. We are only beginning, therefore, to compete with the United States; and I think everyone must regret that just at this stage of our work, in connection with the settlement of that country, we should have speeches made in Parliament, and articles and letters in the newspapers, the tendency of which is to warn the people that the advantages offered settlers by the United States are greater than those offered by our own country, and that we should thus have placed in the hands of these agents of foreign companies the opportunity of using Canadian testimony against Canadian territory. The hon. member for North Norfolk referred to the greater comparative increase of the United States over Canada in population during the last decennial census, and he left us to infer from his comparison, that the policy of the Government had not been such as it ought to have been, having regard to the full developments of the country. The answer is that, in the first place, we had no North-West, at that time, to compete with our friends on the other side. But, as a matter-of-fact, let us look at this pretended increase. The one thing which makes the United States what they are, is this: that you cannot buy an

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American to say an unkind word of his own country, while in Canada, for no higher motive than mere party objects, you will find men prepared to decry their country.

MR. TROW: The hon. member for Niagara mentioned one American, the United States Consul at Winnipeg, who spoke in favor of Canada.

MR. WHITE: Mr. Taylor does not speak disrespectfully of his own country; but he says, that three-fourths of the grain producing area of this continent is in Canadian territory, and his frank statements should shame hon. gentlemen opposite. The decennial increase in the population of Canada, during the decade between 1860 and 1870, was 12½ per cent.; during the same period in the United States, it was 22 per cent. Let us look at the United States east and south of Lake Erie, which corresponds somewhat to Canada, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania and Ohio. In these ten states the increase was only 14·48 per cent., only two per cent more than that of Canada. We find, moreover, that during that decennial period, not a single Province of this Dominion had been stationary. Quebec, which increased the least of any of the Provinces, increased 7·20 per cent., while of the states I have just mentioned, Maine and New Hampshire actually decreased in population during that period. The state of New York, with its great urbane population centred in the cities of New York, Brooklyn, Buffalo, Albany, Rochester, and others, only exceeded in its growth that of Canada by one-half of one per cent., and that in spite of the fact that New York was becoming more and more the outport of all the grain produced, in consequence of the great development in the west during those years. Another significant fact is the increase in the manufacturing states, Massachusetts, Connecticut, Rhode Island, New Jersey and Pennsylvania, the aggregate increase in those states being just about equal to the aggregate in the whole United States, a fact which should afford us some confidence in the result of our National Policy upon the industrial, and therefore population, development of this Dominion. In the other five states, Maine, Vermont, New Hampshire, New York and Ohio,

including the great commercial state New York, and the great agricultural state, Ohio, the increase was only 11·14 per cent., or nearly 1½ per cent. less than in Canada. I think these facts show that, having regard to the relative positions of the two countries, we have nothing to be ashamed of in the increase which took place during that period. We are told by hon. gentlemen opposite that the large emigration from the older Provinces to our western territories is of no advantage to us. I do not agree with them. If these men leave the older Provinces, it is because they are becoming too straightened in their circumstances where they are, and if they did not go into our territory they would go to the United States. Let us look for a moment at the land policies of the two countries. In the United States, under their land grant policy, the price of land within the railway belts is \$2.50 an acre. Outside their railway belts the price is \$1.25; but outside the railway belts in Canada, and for a large portion of the territory, the price is \$1 per acre, so that the price here is actually less than in the United States. In the United States the price is cash, in Canada it is time. The settler can get his homestead lot of 160 acres and take his preemption lot alongside of it, and have it for three years to enable him to break up the ground and prepare it for settlement; and then, by paying four-tenths down at the end of the three years, he has six years more in which to pay the balance, while in the United States he would have to pay cash for the whole at the start. It seems to me that, under these circumstances, it cannot be said, with truth, that the policy of this country is not at least as favourable as the policy of the United States, in respect to the settlement of our unoccupied territories. The hon. member for Gloucester (Mr. Anglin),<sup>a</sup> made a statement which I know is frequently made; he pointed out that the enormous interest account was still going on, and could not be made up by the sale of lands. Well, suppose we admit that; what does the hon. gentleman propose to do? Does he propose to take the course of the hon. member for North Norfolk, and give the lands away, in order that we may be more fully recouped in paying the interest upon the expenditure? Or, is he prepared to stop

the expenditure, and thus prevent the realisation of the hopes we have of the future of that country? If the latter course, then we shall lose, practically, all the money that has been spent, for we are at this moment spending money, the results of which we are to see hereafter. We are at the most critical period of our national existence—if I may use that expression—precisely at the time when large expenditures have to be made, looking to the realisation of profits in a future more or less distant. Is the hon. gentleman prepared to stop all this expenditure, and say, that we had better give the land for nothing, or practically for nothing, because we have no immediate return for the expenditure made in developing it? I doubt much whether the hon. gentleman fairly considered where his argument really leads him. But after all, what is the gravamen of the charge against this policy? After all we have heard of the enormous price that is asked for lands, the charge is that they are going to be given away too cheaply; and while on the one hand, the hon. member for Perth has stated the highest price for the most favourable lands, as the general price of lands which will deter emigrants from going there, on the other hand, we have the hon. member for North Norfolk, stating the lowest price for the most inferior lands, as an argument on which to base his resolution against speculators, to entrap votes in this House. I hope he will not be successful, and I, therefore, beg to move the following amendment to the said proposed amendment:

“That all the words after ‘That’ be left out, and the following inserted instead thereof: ‘the policy of the Government for the disposal of the public lands in Manitoba and the North-West, is well calculated to promote the rapid settlement of that region, and to raise the moneys required for the construction of the Canadian Pacific Railway, without further burthening the people, and that it deserves the support and approval of this House.’”

MR. SCRIVER: I do not propose at this late hour to detain the House by any lengthened remarks. However, at the risk of being considered unpatriotic by some of the hon. gentlemen opposite, I desire to say a few words. If there are any evils with regard to the land system of the North-West, we ought certainly to be prepared to examine into that system fully, and discover where such evils exist.



I agree with the hon. gentleman who has just sat down, that a part of the great emigration to that country, which has taken place this spring, can be accounted for by the reasons he has given us. There is no doubt that there is something in the special condition of things in the manufacturing towns of the Eastern States, which has led to a portion of this emigration. There is no doubt that special efforts have been put forth by emigration agents to secure emigrants to take the place of parties who have joined in the strikes which have lately taken place in the Eastern States. There is a normal emigration from the Province of Quebec, which takes place every spring, and those emigrants return and live in Canada during the winter. This would account for a portion of the large emigration which has taken place from the Province of Quebec during the last few weeks. I am well aware that a large emigration has taken place to the Western States and Territories also, which we should like to have seen attracted to our North-West. This emigration, to my certain knowledge, is still going on. One reason why emigration has taken the course it has taken is the general impression which prevails that the advantages offered by settlement in the American territories and states are greater than the advantages which are now offered by our own country. I am bound to say that a general impression prevails that the regulations existing in the American system are more liberal and more advantageous to settlers than our own. I believe that that impression has some foundation in fact, and for this reason. The hon. the First Minister in his statement in the House neglected to state, after making a comparison of the prices charged for land in the two countries, that the lands in the United States of which he was speaking were railway lands. There is no doubt that in the reservations made by the American Government for railway purposes, the alternate sections are advanced in price from \$1.25 to \$2.50 per acre, but there are large tracts of land open to settlement in the United States which are not railway lands, and which can be obtained by settlers for \$1.25 per acre. There is this peculiarity, with reference to these lands, in the United States. They

are more accessible for settlement than our lands in the North-West, which we have fixed at a higher price than that demanded for American lands. Take the territory of Dakota for an example, to which a great tide of emigration is setting in from the province of Quebec and I believe from the Province of Ontario. In the central and southern portions of that territory, there are no lands set aside for railway purposes. They are all open for settlement, and the settler going in there cannot only select a homestead of 160 acres, but he can also preempt 160 at \$1.25 an acre, which he is not obliged to pay for for three years. In addition to that, he can get 160 acres for planting, within five years, ten acres with trees. He practically gets that for \$1.00 an acre. Settlers going there, have thus the opportunity of getting 480 acres of land by paying \$1.25 at the end of three years for 160 acres. There is another advantage to which I have not referred. Railways are rapidly extending into that territory. From the adjoining states three great lines of railway are proposed to be built which will traverse that territory diagonally from the southeast to the north-west, and before very long will intersect the Northern Pacific railway, thus bringing all the arable lands of that territory, practically, within reasonable railway communication. I mention these facts as reasons why we should adopt an exceedingly liberal policy in regard to our lands in the North-West, and why we should correct the impression which now prevails, not only among those who are going from our older Provinces, but also among the emigrants from abroad, that our land policy is not as liberal as that of our neighbours. We should offer, at least, as great advantages to new settlers, as do the Americans. It may be true—I suppose it is—that the class of emigration agents to which my hon. friend from Cardwell refers, are very persistent in their attempts to induce settlers by plausible representations to remain in the United States. I need hardly say that, if the reports of these gentlemen are not founded on fact, they will not carry weight to any great extent. The false impression which they may succeed in creating at first, will be very soon dispelled. I am afraid, however, there is some foundation at least for

the representations which these agents make. I will not detain the House any longer. I desired to say a few words as the seconder of the resolution, and to express my wish, that the Government would reconsider their land policy. They have already reconsidered that policy once, and made important modifications. I think there is room for still further improvement, and I trust the discussion which has taken place this evening, will have the effect of leading to that improvement in the land policy, which we have all earnestly desired.

MR. BOULTBEE: I did not intend to take any part in this debate, but I desire not to let it close without referring to some remarks that fell from the latest speakers. The hon. gentleman who has just sat down, says, that the tide of emigration flows into the United States, and the conviction that attains among people generally, is that the United States offer a better field for emigration than Canada. I dare say there is much truth in what he says, and I do not think he would say it unless he believed it. But it is worth while to enquire why it is that such a feeling should prevail—why it is that people should be led to believe that the United States affords a better field for settlers than our own fertile prairies; the hon. gentleman gives no argument. He states no facts, but simply makes the assertion that such is the fact. Very likely it is. The hon. gentleman who spoke before him said, if we are going to be ruined we want to know it, and he no doubt expressed the feeling which pervades a large number of hon. gentlemen opposite. When utterances, of hon. gentleman, to this effect are republished in their papers, circulated throughout the length and breadth of the land, and hawked about by American emigration agents, is it wonderful that the conviction, which the last speaker dilated upon, gains ground. The settlers whom these statements effect are, to a great extent, illiterate and ignorant. They know these men are members of the Parliament of Canada, and they scarcely recognise whether they are supporters of the Government or opponents of it. But they attach great importance to the language that falls from these hon. gentlemen, and I say that there could not be anything more painful to the community, there

could not be anything that could be a source of greater regret to a man who takes an interest in Canada, than to hear the utterances of these gentlemen who profess to be interested in her fate, to prophesy ruin and decay unless the administration of affairs should be entrusted to them. They held the Administration for several years, but they did not administer the affairs of this country in a way satisfactory to the people, and they were turned out of office. It seems to me that it would be more patriotic of them on the present occasion, in this Parliament, in this Session, if you like, and in future Sessions, not to decry so much the position which Canada holds. I have alluded briefly to the remarks of the hon. gentleman who spoke before the last speaker. I was not in the House when the hon. member for Perth began his speech. I only heard his concluding remarks. He was giving the House, as I entered, a collection of statistics, showing the amount of land held by the great landowners in England, Scotland and Ireland. In the abstract these statistics were not particularly interesting. There was nothing in their abstract value to enlist the attention of the House. If they had any value it was for the purpose of showing that the system advocated by the Government would lead to similar large holdings of land in the North-West. I followed the hon. gentleman as carefully as I could in my memory, and I think he stated that something like 20,000 people in Great Britain and Ireland held 100,000 acres of land apiece; and I suppose the purpose of his argument was to show that the policy of the Government would lead to similar large holdings in the North-West. Making calculations without the aid of pencil or paper it seemed to me that if we got as large holdings as this in the North-West; if we got 20,000 people holding 100,000 acres of land apiece, even if we only received \$1 an acre for that land, it would amount to \$2,000,000,000. But we might deduct very largely from the hon. gentleman's figures. We may reduce his figures by twenty, and we shall still have a much larger sum than the Government requires to build the Pacific Railway, without increasing the taxation of this country. I apprehend that the hon. gentleman would be as delighted with that result, as I would be, or the

House would be, or the country would be. I do not suppose we shall discuss this subject at greater length now, but I would urge again, as I have done before, that it is scarcely fair to the country, or the duty of hon. gentlemen to their constituents, to so persistently, on every occasion, place Canada in an evil light in comparison with other lands. I think it is not a fair or correct thing. The policy of the United States is one that has made that country great, and has attracted to her the largest emigration that any land ever has had. I desire, in this connection, to refer to a quotation from a work by a judge of human nature, not inferior to any other man distinguished in English literature. The late Charles Dickens, in one of his novels, notices one of his American characters, Elijah Popham, I think, says: "Sir, we must be cracked up, we demand this and we must have it, and if we are not cracked up there will be trouble, stranger." It was rather an exaggeration of a national characteristic, but that is one feature that, as Mr. White suggested, has tended to make the United States great, and has directed to her as large an emigration as any country ever saw. That is their steadfast, persevering determination, whenever the United States are mentioned; they speak of her in terms of eulogy, instead of dispraise. It is the duty of patriotic Canadians to imitate them in a measure, and not to be everlastingly running down their own country.

MR. MACKENZIE: It will be observed that on no occasion will hon. gentlemen opposite condescend to speak on the merits of a case; but invariably content themselves with lecturing the Opposition, telling members of the Opposition what it is their duty to do. The hon. member who has just sat down is a very young member of this House, not very young in years, but young in political experience, young as a Parliamentarian, and yet he presumes to address and lecture hon. members on this side of the House with a degree of political impertinence which is scarcely tolerable. He thinks all he has to do, when he gets up, is to abandon the argument, and deal out the most vituperative language against his opponents.

MR. BOULTBEE: I do not think I used any such language. I defy the hon.

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gentleman to point out any single word of mine that was vituperative. I used nothing but proper Parliamentary language.

MR. MACKENZIE: I do not say there was any unparliamentary language.

MR. BOULTBEE: Nor vituperative.

MR. MACKENZIE: Why, did not the hon. gentleman gravely tell the House that there was no patriotism on this side of the House? I cannot imagine anything more vituperative than the language he addressed to us in making that statement. But the hon. the Premier used the same kind of language.

SIR SAMUEL L. TILLEY: I deny that most emphatically.

MR. MACKENZIE: We are told we are delighted to see a blot upon the country. If that were true, if it were a fact that a blot afforded us delight, we have a huge blot opposite to us every night; we have those in front of us who have blotted every page of history in every conceivable manner; if we choose to expose every blot that we might expose, we would be doing nothing else. I appeal to the hon. gentleman who last spoke in so exasperating a tone, if the hon. member for North Norfolk did not speak to the point, or if there was anything said on this side of the House that was improper.

MR. BOULTBEE: I am not aware that I made any remark with regard to the member for North Norfolk (Mr. Charlton). I think he spoke to the point, and that he made a very good speech.

MR. MACKENZIE: My hon. friend from North Norfolk is patriotic then, and the course he has pursued is patriotic. Who are those members on this side that are not patriotic? Was it the hon. member for South Perth (Mr. Trow)—was it he who was lacking in patriotism?

MR. BOULTBEE: If you want me to answer, I can do it.

MR. MACKENZIE: It is the hon. member for L'Islet (Mr. Casgrain) who is unpatriotic, perhaps. Well, I have known that hon. gentleman for some years, and those who accuse him of being unpatriotic, I think, will fail to make good their charge. It is the duty of members of Parliament in Canada to expose everything tending to the injury of the country, no matter whether they are the acts of the Government or others, and no matter whether acts

of commission or omission; and we have endeavoured faithfully to discharge that duty. We are not to be deterred by the lectures of the hon. member for East York (Mr. Boulton), but, on the contrary, we shall always continue to expose what we consider is injurious to the country. That which has given rise to this discussion, is nothing but a belief on our part that the line of policy adopted by the Government is not conducive to the general interests of the country, but is calculated to retard the settlement of the Great North-West. The hon. the First Minister, who replied to my hon. friend from North Norfolk, told us, amongst other extraordinary things, that the land policy, as first submitted, was the right one, but that the want of patriotism on the part of the *Globe* newspaper, in attacking that policy, compelled them to change a policy that was right: that he was induced by the strong opposition of that newspaper to enter upon a different course, to enter upon a course that was improper; that, therefore, he had not the patriotism himself to abide by the principles and the policy which he declared to be right. The *Globe* had created such an impression among his friends, that some change should be made, that he was willing, rather than hold fast, to make the change in opposition to his own convictions, and in defiance of what he conceived to be the interests of the country. The right hon. gentleman has not answered the speech made by the hon. member for North Norfolk, he devoted nearly the whole of his speech to a defence of his railway policy. I could not conceive why that was done, until I learned that there was a good deal of uneasiness among his followers in reference to that policy; and I understand now that there is to be a caucus between them to-morrow to discuss it; therefore the right hon. gentleman took the opportunity of defending his railway policy, as that defence will do service in another place on another occasion. I do not propose to go into the discussion of that policy now; we will go into that discussion at the proper time, when the question comes up on the motion, of which notice has been given by my hon. friend from West Durham (Mr. Blake). I merely rise to-night to rebuke as far as we are concerned,

that spirit of intolerance which prevails, that dictatorial and offensive spirit with which hon. gentlemen opposite charge hon. gentlemen on these Benches with a dereliction of duty, and with a want of patriotism. We understand our duty, we understand what we have to do; and hon. gentlemen opposite are wasting their breath in attempting to deter us from following that course and that policy which we believe to be in the best interests of Canada. We know we have the ear of the country; we know that hon. gentlemen opposite, with all their professions, are quite conscious that they have lost the confidence of the people of this country; they know they have utterly failed to redeem their promises, that their National Policy is a fraud and a delusion; and that their land policy shaped in the interest of speculators is injurious to the people at large and to the general interests of the country, and that their railway policy is ruinous; they know that these matters will rise in judgment against them one day, and they know that an exposure of all their political crimes will only hasten that day.

MR. BOULTBEE: Is not this a little vituperative?

MR. MACKENZIE: We shall do our duty just the same as if the hon. member for East York had not ventured to lecture members on this side of the House.

MR. BOULTBEE: I ask the hon. gentleman if his language is not vituperative?

MR. MACKENZIE: I have used no words, not a single expression but what is perfectly correct. The hon. gentleman may say "political crimes" is vituperative. Political offences are political crimes; and I am sure that hon. gentlemen opposite will not deny that they are guilty of that; they will not deny either that they have failed to redeem their promises on which they obtained office, and that is a political crime, is it not? They sought to make false impressions on the country; the hon. the Finance Minister assured the people of his Province what his policy would do for them, and we have repeated denials from his own Province that any benefit resulted. Is not this a political crime? Let the hon. gentleman go back to his election in

St. John. In discussing this and every other measure before Parliament, Sir, we shall exercise our right, our undoubted right, in perfect freedom to criticise with just as much severity as we think proper, every part of the policy of hon. gentlemen opposite, and they might as well refrain, in future, from these lectures of which we have had such an abundance to-night.

**MR. McLENNAN:** The hon. member for Lambton (Mr. Mackenzie) does not lecture, he scolds; and not only this House but the country. Perhaps he may have reason from his point of view. He has lately made several appeals to Ontario, but the farmers of Ontario have got away from him and beyond him; they have ceased to follow that Chinese lantern—the daily *Globe*: they have taken up the torn book of political experience; they know their own minds; their determination is fixed; they are sound to the core, and that's what is the matter. But, though the hon. member will not admit the principle of protection in the National Policy, he is full of that self-sufficiency which is the protection of narrow minds, and so he scolds this House and the country. The hon. member says we have got away from the question; no one has done so more widely than himself. I do not quite agree with my hon. friend from East York (Mr. Boulton), that the hon. member from Huntingdon (Mr. Seriver), has given no reason why emigrants should go to Minnesota and Dakota; he has given a good reason—the facility of access by railways to those States. It suggests a good reason for the use of all diligence on our part to reach our lands in the same way. We should have had that access now but for the halting policy of hon. gentlemen opposite, who went about constructing the two ends of the route between Thunder Bay and Red River, leaving a great gap of mud and water in the middle. The question of the land policy was opened, in a fair and temperate manner, by the hon. member for North Norfolk (Mr. Charlton), and I think he was fairly and fully answered by the right hon. the First Minister. I think the statement in reply had the full approval of the House. With regard to speculation in the lands of the North-West, Sir, you cannot keep the speculator out, he will have his hand in land as in

everything that forms the subject of human enterprise or human cupidity; but the speculators are not a separate and hostile class; you hardly meet a settler who is not a speculator; he has preempted a lot adjoining his homestead in the name of his son or his daughter or perhaps some mythical member of his family, and holds it for sale to the next settler who comes along. Speculation is practiced by the poor man as well as by the richer man. Wherever there is much land there will be speculation. But I am glad to say that in the North-West there is land for all, and no danger that the speculator will monopolise it. The hon. member for Perth (Mr. Trow) complains that for forty miles beyond Winnipeg the land is taken up. Does he not know that it is taken up by the native half-breeds, and I presume with the approval of both the Governments that have dealt with the country. Then he says that the farmers beyond that (at Poplar Point and High Bluff) are so far from Winnipeg as to have no market for their grain. Well, I can tell him that now there are buyers of grain at the Portage, with a warehouse and all the modern appliances, and a steamer plying on the Assiniboine to carry away any surplus; but in fact the farmers of that locality—and there are fine farms and good farmers there—have this year got very good prices for their grain: 90c. for wheat, and 55c. for oats—a very high price for the great yield of their fields. I am glad to hear the hon. gentleman say that he does not wish to depreciate his own country; from his manner of comparison of our own lands with the lands of Minnesota and Dakota, I should have inferred that he intended to do so.

**MR. SMITH (Selkirk):** I have not had the advantage of hearing what has been said by most of the hon. gentlemen who have spoken, and do not intend to trespass much on the time of the House; but I would like to say a few words before voting, on this subject. With regard to these land regulations, I think, myself, that it was a very great misfortune that they appeared as they did in the first instance. I admit with pleasure, that they are much better, as they now stand than when they first came out. Still, they might, and I think ought to be very greatly improved.

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We ought to assimilate them as much as possible to, or in some other way, make them quite as favourable as those of our neighbours in the United States. We have a country fully as good as their's, and in many respects better. Our land, taken as a whole, is superior, but still we must give as much encouragement to emigrants to settle on it as the Americans do for the filling up of their territory. So far, we have certainly not done so. Indeed, I think that our land policy, from the very commencement, has been a mistake. We commenced by allowing settlers to go in upon our lands, in the first instance, before any surveys were made, entirely overlooking that one-twentieth of the Fertile Belt belonged to the Hudson's Bay Company, and so complicated matters very greatly, instead of having surveys made as fast as possible for the comparatively small number of settlers of the first few years. In short, there has been a lack of knowledge on the part of the Government and in the House generally, with regard to the North-West, and it is only very lately that our people have woken up and found that we do possess a very fine country in the North-West. The hon. member for South Perth (Mr. Trow) has stated that, while there is a great deal of good land in that region, it is not all good. It certainly is not all good; but still I think it is saying a great deal when we assert, and this we can safely do, that, as a whole it is not only equal to, but better than the land of the great Province of Ontario. But while we locked up great portions of the land along the railway line, by asking for it \$6 an acre, and until the recent change in the regulations permitting no settlement by homesteads in the first belt, on the other side of the Line settlers could get good lands in any portion of their railway reserves for—as the Premier admitted, \$2.50 an acre—that is, after having taken a free homestead of 160 acres they could preempt another quarter-section at \$2.50 per acre, and also get the lands of the railway companies on very favourable terms. In the United States they really favour actual settlement, while we, by our present policy, would be very apt to lock up a great portion of the country and place it in the hands of speculators. It certainly is not wise to allow the land to go into the hands of large companies and speculators. It has been said

the Hudson's Bay Company have a large portion of good land. True, but that is no reason for multiplying such companies. The Hudson's Bay Company's acquisition or retention of its lands you could not prevent. They owned all the lands at the time of the transfer, and you had to make the best possible terms with that Company. The Hudson's Bay Company may safely be trusted to act with the greatest liberality in disposing of these lands, but I have always thought it would have been infinitely better had the Canadian Government—and I wish this to apply to both Governments—extinguished the landed rights of that Company altogether, and purchased its lands for the public, when it had an opportunity of doing so. It would be quite impossible to get the lands from the Company at present on anything like the terms for which they could have been obtained, under the arrangement I refer to, and no one can question that it would have been a great advantage to have had the lands in the hands of the Government. We know the evil results of locking up lands in other countries, and why should we repeat them in our North-West? There are companies asking for charters to hold lands in that country. They could get Government lands for about \$1 an acre, and under the present regulations would have to pay but 10c. an acre in the first instance, the payments being spread over ten years. I think nothing could be more injudicious, or more hostile to the interest of this country than such transactions. I understand the hon. Premier has stated his belief that, within ten years we shall have half a million people in that country, and that its lands will have returned to the Treasury something like \$75,000,000.

Mr. BLAKE: \$40,000,000, actually collected, and \$75,000,000 to be due within the ten years.

Mr. SMITH (Selkirk): I sincerely hope and trust, as I am sure every hon. gentleman does, that this may be our experience. But we shall find that even in the favourable sections of the United States, the progress has been nothing like what the right hon. gentleman expects. While we may look forward to a large influx of settlers, we can hardly hope it will be so great as to give us half

a million in that time, and I cannot for a moment imagine we shall receive that large amount of money from the sale of the lands. I think our first aim should be to settle the country, by giving every possible assistance to the colonists, or actual settlers, not, however, restricting them to 160 acres or thereabouts, as some propose. There should be a guarantee given, that all to whom lands are sold should be actual settlers. In several parts of the United States, a great advantage is given those who take up lands for settlement. For instance, they are allowed a rebate of one-half the price, even when not exorbitant, \$5 or so an acre, for each acre broken up and cultivated within three years. Some encouragement of the same kind might very well be extended to the settlers in our North-West.

MR. WHITE (Cardwell): Only one railway company gives that rebate.

MR. SMITH (Selkirk): I know one, at any rate, gives it, and that company finds it very greatly to its advantage. What may profitably be done by this company, will no doubt be followed by others, and should be done by a great Government like that of the Dominion. Everything should be done to assist railways in the North-West. Nor need we be afraid of their competition with the Canada Pacific. It will be some years before it crosses the Rocky Mountains; and meantime, parallel lines within thirty or forty miles of it would all greatly assist in the opening up and settlement of the country. It is found in other districts, whose lands are not better than those of Manitoba or the North-West, that a space of some twenty or thirty miles on either side of a railway, is amply sufficient for its maintenance; that is, apart from the working expenses, a very fair profit can be made out of the railway. That is not the experience of one, but of many districts and railways passing through such a country as the North-West. In Manitoba and the North-West, we have very unfavourable land upon which to make ordinary wagon roads. While the weather is dry, nothing can be better than the roads, but it is well known that during the wet weather the roads are almost impassible, so that for the short distance of sixty miles between Winnipeg and Portage la Prairie, it some-

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times takes three or four days to make the journey. It is therefore especially necessary in that country that assistance should be afforded in the construction of railways, not that the Government should build them, but there should be power given to those who are willing and prepared to do it. When we find people willing to build railways there, and to complete them within a reasonably short space of time, and this should be made a stringent condition of ever charter, we ought to give them every assistance. The hon. member for Perth (Mr. Trow) has remarked that, after all a great deal is not gained by emigration into the North-West from the older Provinces. I cannot agree with my hon. friend in that view, I believe that the more eligible people who can be got to go from the old Provinces to the North-West the better, as their places will be quickly filled by those from the other side of the Atlantic. While in England, a short time back, I had quite a number of applications from people who proposed to emigrate, and certainly in most instances they preferred making their homes in a country already settled instead of, as they said, going into the backwoods or on to the prairie. They preferred beginning their farming life in the older Provinces and purchasing improved farms there. So we may look, for a reasonable emigration into the old Provinces in the near future. In my humble opinion the Government have made a mistake in making so many reserves for particular nationalities. The Mennonites are an excellent and industrious people, and they have done wonders since they have been in the North-West, but I believe if they had been distributed, as is done in other portions of the continent amongst the other settlers, it would have been much better. And so with regard to the Icelanders, there can be but one opinion as to their desirableness as inhabitants, but it would have been much better for themselves as well as for the country generally, if they had not been placed in those isolated settlements, but had been encouraged to scatter themselves over the Province. No Government has been wise in this matter, but each successive Government ought to act upon the experience of its predecessors, and not fall into the same mistakes. I looked upon it

as a step in the right direction, when the Government decided to turn the line of railway from the north of Lake Manitoba, to the south, as the settlements were almost wholly in the latter direction; but at the same time I must say, that in my belief, the land on the north of Lake Manitoba has been greatly depreciated, and it would not surprise me to find substantial men coming forward at an early session and asking Parliament to give them a charter for a colonisation railway over the greatly decried northern route, along which I fully believe a great deal of excellent farming land will be found. Now that this road has been definitely located, I trust it will be proceeded with as fast as possible. If it had been in the hands of private individuals we would have had the railway built already fifty miles to the west. I would impress upon the Government the necessity of using every effort to get colonization roads into that country. A comparatively small portion of the millions that have been spent in surveys through portions of the country where there will certainly be no settlers for many years to come, had it been used in opening up the prairies to cultivation, it would have ensured to us now a much larger population than we have at the present moment. The resolutions of the hon. member for Norfolk ought to commend themselves to every member of this House, and I, for one, have great pleasure in supporting them.

MR. MACDOUGALL: Though the House is impatient to vote, I desire briefly to state the difficulty in which I find myself in consequence of the amendment that has been proposed by the hon. member for Cardwell (Mr. White). The hon. member for North Norfolk (Mr. Charlton) has proposed that this House shall affirm, as a rule for the disposal of public lands, that they shall be sold to the actual settler, on the best terms practicable; in other words, that the lands shall be treated, not as a source of revenue, but as a means of providing for the speedy settlement of the country. He has condemned, in his second resolution, the practice of selling the lands to speculators, as he calls them. I suppose that includes everyone who purchases lands without settling upon them. Now, if we were dealing with the question *ab initio*, I have no doubt many members of this House, from the ex-

perience we have had in the old Province of Canada, would be disposed to agree that, in the interests of the country, it would be better to deal with the public lands in the manner proposed. But we are not in that position. Unfortunately, we have adopted a revenue policy, with regard to the disposal of the public lands in the North-West. This House affirmed, last year, the propriety of setting apart 100,000,000 acres of land in that country, for the construction of a great public work, and directed the Government not to dispose of them for less than \$2 per acre. I objected to that proposition, as I find in the *Hansard* report; I expressed the views which I then entertained, and which I still entertain, with regard to those resolutions. I thought they were not adapted to the circumstances of the country; that they would not be found to work advantageously, even for the purpose of revenue, and it was with some satisfaction that I heard, a few months afterwards, that the Government had decided, in consequence—if the hon. member for Lambton has correctly understood the remarks of the hon. the Premier—of the remonstrances and attacks of the *Globe* newspaper, to change the policy that had been affirmed by this House, and adopt a new one. I trust that it was not from that motive altogether; and I am confirmed in the opinion that the Government must have been influenced by a belief that free grants could not be dispensed, when the hon. member for Cardwell proposes now, with their approval, to say that the revised regulations are the wisest and best the Government could have adopted under the circumstances. I am not quite convinced that the House ought to take that course. The hon. member for North Norfolk moves his resolutions, an hon. member proposes to proceed to the Orders of the Day, and the hon. member for Cardwell moves an amendment to the amendment, calling upon the House to declare that the policy of the Government with respect to the public lands in the North-West is the true policy, both as regards settlement and the construction of the Pacific Railway. Is the House prepared to commit itself to such a proposition, by way of amendment to the motion of a private member? I think



the hon. member for Cardwell ought to withdraw his amendment, and then we can negative the propositions of the hon. member for North Norfolk, by passing to the Orders of the Day. I can vote for such a motion without difficulty. When, Sir, we remember that we have undertaken serious obligations, with respect to the settlement of that country, that the old Provinces are called upon to incur an enormous debt for the purpose of opening up a new and productive region, not only for the benefit of their own surplus population, but to provide farms for millions of Europeans and strangers, I think we are not in a position to say that all the lands in that country shall be given up to the new comers as a free gift, or that the Government ought not to secure a sufficient revenue to repay the old Provinces some portion, if not the whole, of that expenditure. I believe that a large majority of the people of this Dominion are disposed to lend their credit and run considerable risk for the purpose of opening up that great inheritance of ours in the North-West, but they expect indemnity in the future. I was glad, Sir, to hear an ex-officer of the Hudson's Bay Company (Mr. Smith) tell us, to-night, that we have a vast quantity of rich and cultivable land in that country. I was glad to hear that testimony from that quarter, for our ears are not accustomed to it. I believe we have in the North-West an enormous territory of good, arable land, better than any that remains in the old Provinces; and that the people of the old Provinces will, in large numbers, proceed there under the policy of this Government. I believe this policy, so far as it provides for the sale of alternate sections of these lands, for the purpose of producing a revenue to meet the expenditure in the construction of the Pacific Railway, is a wise and just policy, and will be approved by the people of this country. If any hon. member of this House were to go before the taxpayers of the country and propose that, after all we have expended, after all the debt we have incurred, after all the responsibilities we have undertaken, we should give up these rich lands for nothing, and thus compel the people of the old Provinces to pay for their development, I believe he would not find many persons to agree with him. The

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course the Government has taken in the allotment of these lands is an experiment. It may prove successful, and the experience and practice of our American neighbours in that direction are encouraging. I would prefer to leave the Government untrammelled in matters of detail, and not say that this or that policy shall be pursued. The right hon. gentleman stated, in his opening remarks, that he did not desire to mix up the Pacific Railway question with this land question. I do not desire to commit myself to an approval of what appears to be the policy of the Government in respect to that Railway, but I desire to say that I concur with the principle the hon. member for North Norfolk has embodied in his resolutions, except in its application to that portion of the North-West which will be benefitted by, and therefore ought to bear the burden of, the Pacific Railway. Nearly twenty years ago, when Commissioner of Crown Lands for the old Province of Canada, I endeavoured to impress upon my colleagues the opinions I entertained that free grants to actual settlers was the true way to settle the public lands. Now lands are practically given away in Ontario and Quebec, on condition of settlement; and public opinion, I think, as far as Ontario and Quebec are concerned, is educated up to the point of the hon. gentleman's resolutions. We have had our Canada Companies, and our British American Land Companies. We have seen large tracts of good land remain in the hands of these companies for a generation; and we have seen that the country has not progressed under that system. In Ontario we discovered, many years ago, a means by which that evil could be rectified. We discovered that, under the system of local taxation large tracts of uncultivated land were brought into the market, and the evil which formerly existed has been removed. I think it will be found that land companies like those referred to will find no room in the North-West, and the evil of non-resident speculation will be rectified by the people themselves. The settlers on these alternate lots will find means, through municipal taxation, of compelling those who have purchased the adjacent lands to bring them into the market. Therefore, I have no great fear of the consequences of the system which

the Government has adopted. I think the policy of the Government is an experiment which it is safe to try. We cannot afford to give away all the lands of the North-West, and build the Pacific Railway at the expense of the residents of the old Provinces, and I do not believe the hon. gentlemen who advocate that system have any public opinion outside of this House to sustain them.

MR HUNTINGTON: The word or two I have to say at this late hour of the night, are not so much upon the merits of the question, and are not so appropriate now as they would have been, had I had an opportunity of speaking immediately after the hon. member for Glengarry (Mr. McLennan). We all in this House regarded the election of the hon. member for Glengarry to a seat in this House—those at all events who knew his reputation—as a matter of importance to the commercial interests of this country. The hon. gentleman was widely connected with the interests of the commercial metropolis of Montreal, and we expected he would be a guiding light, so to speak, on commercial questions. For myself I should be sorry to speak in any sense disrespectfully of the hon. gentleman. I should be sorry in any way to disparage his abilities, which we all recognise, or his position in this House. But as a humble member of the party, which is, I admit, rather feeble in point of numbers, I take exception to the position the hon. gentleman is continually occupying in this House in reference to the hon. member for Lambton (Mr. Mackenzie). The hon. member for Lambton may be a very disagreeable and contemptible person in the opinion of the hon. member for Glengarry, but on this side of the House we regard him as a very respectable man. If the hon. gentleman expects to be treated with the consideration which his commercial experience entitles him to, he must at least extend to others the same courtesy which is extended to him. If he attacked myself or some other humble member of the House, the matter would be allowed to pass. The hon. member for Glengarry, on account of his commercial connection, is not so insignificant as to permit of his remarks passing without observation. Let me tell the hon. gentleman, with all my respect for his abilities, that there are many hon. gentlemen in this House able

to express their opinions as fluently and intelligently as himself. If he was fit to pursue this aggressive policy with regard to my hon. friend—

SOME HON. MEMBERS: Oh.

MR. HUNTINGTON: I will venture to say to those hon. gentlemen that there is not a man on that side of the House who does not feel the impropriety of the course the hon. gentleman has pursued. There is no man there who does not respect the hon. member for Lambton, and who does not know that the hon. member for Lambton is not liable to these constant attacks upon him. Let the hon. gentleman consider that those who differ from him in opinion may not be amenable to his sneers, or let him take the consequences which will undoubtedly follow.

MR. CHARLTON: I wish to refer to one or two points that have been alluded to in the speech of the right hon. gentleman. Before doing so, I may advert to a misapprehension the hon. member for Halton (Mr. Macdougall) entertains, with respect to these resolutions which is very likely entertained by other hon. members of this House. The resolutions I have offered do not affirm the propriety of making homestead grants. The first resolution affirms, in general terms, that the public lands should, as far as practicable, be sold to actual settlers only; and that the sale of public lands to speculators, free from conditions of settlement, is calculated injuriously to affect the interests of the country. And the second resolution affirms, that, so long as the system of selling public lands to speculators, without conditions of settlement, or restrictions as to quantities, is continued, the price at which such lands are sold should be paid in full, in cash, at the time of sale. These, in brief, are the terms of the resolutions. The hon. the First Minister in the course of his speech challenged any hon. member on this side of the House to point out in what respect the land policy of the United States was more favorable to settlers than the policy contained in the regulations of the 14th October last. Now, that challenge was pretty fully met by my hon. friend, the member for Huntingdon, (Mr. Scriver.) In order to secure the settlement of our lands, we must make the advantages co-equal with those of the United

States. We cannot expect to settle those lands rapidly under the present regulations. Hon. gentlemen may impugn our patriotism as much as they please, but our object in bringing these resolutions before the House was to rectify a wrong. The hon. member for Cardwell (Mr. White) alluded to my having drawn the attention of the House to the disparity of growth between Canada and the United States, and he said I brought it up as a charge against the Government. I did nothing of the kind. I alluded to the fact in a spirit of sorrow. I said the object of these resolutions was to remedy the state of things which had led to such disproportionate growth on the part of the United States. The hon. the First Minister gave us some astonishing statistics in regard to emigration. He thinks that in ten years we will realise \$79,000,000 from the sale of public lands in the North-West.

Some HON. MEMBERS: No.

MR. CHARLTON: Did he not say so?

Some HON. MEMBERS: No, seventy millions.

MR. CHARLTON: Well, Sir, by a return lately brought down I see that the sale of lands in the North-West and in Manitoba for 1879, amounted to 247,315 acres. If these lands brought an average of \$3 per acre, the total amount would be less than \$750,000, and yet the sales in ten years are to amount to \$70,000,000. The right hon. gentleman estimates the emigration for last year at 25,000; the total sales of public lands last year were made to 882 purchasers. If these were all heads of families numbering five persons each, it would represent an immigration of less than 4,500, in place of 25,000. The hon. gentleman's calculations are preposterous. I hope they will be realised, but I have not the faintest idea that they will. The hon. gentleman bases his calculations of this revenue on the sale of land to settlers, and yet he tells us in his speech—I have his exact words—that we could not sell a single acre in the North-West if we made settlement a condition of sale to actual settlers.

Some HON. MEMBERS: No.

SIR JOHN A. MACDONALD: That is not what I said.

MR. CHARLTON: If not, the hon.

MR. CHARLTON.

gentleman cannot object to the terms of the resolutions now proposed, which amount at keeping the lands out of the hands of speculators.

MR. DECOSMOS: I have only one remark to offer. It has been said that there was no railway line in the United States with land grants extending further than twenty miles on each side of it; now I believe that, if the hon. gentleman will refer to the Northern Pacific Railway land grant, he will find there that its lands extend forty miles on each side of the road.

MR. SMITH: One portion only.

MR. DECOSMOS: And that the pre-emption price is \$2.50 per acre.

Motion made and question proposed:

That the House do now go into Committee of the Whole to consider the following resolutions:—(See p. 1,051)—(Mr. Charlton.)

That all the words after the word "That" in the said motion be left out and the following substituted instead thereof:—"this House do now proceed to the Orders of the Day"—(Mr. Donville.)

That all the words after "That" be left out, and the following inserted instead thereof:—"the policy of the Government for the disposal of the public lands in Manitoba and the North-West is well calculated to promote the rapid settlement of that region, and to raise the moneys required for the construction of the Canadian Pacific Railway without further burdening the people, and that it deserves the support and approval of this House."—(Mr. White, Cardwell.)

House divided on the amendment to the amendment (Mr. White, Cardwell).—Yeas, 120; nays, 40.

YEAS:

Messieurs

Abbott	Lane
Allison	Langvein
Angers	Little
Arkell	Longley
Baby	Macdonald (Kings, PEI)
Baker	Macdonald (Victoria, BC)
Bannerman	McDonald (C. Breton)
Barnard	McDonald (Picton)
Benoit	McDonald (Victoria, NS)
Bergeron	Macmillan
Bill	McCallum
Bolduc	McCuaig
Bourbeau	Macdougall
Bowell	McGreevy
Brecken	McInnes
Brooks	McLennan
Bunster	McLeod
Cameron (N. Victoria)	McQuade
Caron	McRory
Cimon	Masson
Colby	Massue
Connell	Merner

Costigan	Montplaisir
Cougle	Mousseau
Curr	Muttart
Cuthbert	O'Connor
Daly	Ogden
Daoust	Orton
Dawson	Patterson (Essex)
DeCosm	Perrault
Desaul	Pinsoaneault
Desjar	Platt
Donville	Plumb
Doull	Pope (Queen's, P.E.I.)
Drew	Poupore
Dugas	Richey
Elliott	Robinson
Farrow	Rochester
Fitzsimmons	Rouleau
Fortin	Routhier
Fulton	Royal
Gault	Ryan (Marquette)
Gigault	Ryan (Montreal Centre)
Girouard (Jac. Cartier)	Rykert
Girouard (Kent, N.B.)	Sproule
Granbois	Stephenson
Hackett	Strange
Haggart	Tassé
Hay	Thompson (Cariboo)
Hesson	Tilley
Hilliard	Tupper
Hopper	Vallee
Houde	Vanasse
Jackson	Wade
Jones	Wallace (S. Norfolk)
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## NAYS :

## Messieurs

Anglin	King
Bane	LaRue
Béchar	Laurier
Blake	Macdonell (N. Lanark)
Brown	Mackenzie
Burpee (St. John)	Oliver
Burpee (Sunbury)	Olivier
Casey	Paterson (South Brant)
Casgrain	Pickard
Chandler	Rinfret
Charlton	Robertson (Shelburne)
Cockburn (Muskoka)	Ross (West Middlesex)
Dumont	Rymal
Fiset	Scriver
Fleming	Skinner
Gillies	Smith (Selkirk)
Gillmor	Smith (Westmoreland)
Gunn	Trow
Guthrie	Weldon
Killam	Wisr.—40

Motion in amendment (*Mr. Domville*), as amended, *agreed to* on the same division.

Motion (*Mr. Charlton*), as amended, *agreed to* on the same division.

House adjourned at

Fifteen minutes after

One o'clock.

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1. In the *general* sections of the Index, the *names* in italics and parenthesis, after the subject, are those of the *movers*.

2. In the *personal* sections, the *Motions, Bills, etc.*, in italics and parenthesis, are those which emanate from the member under whose name they occur.

3. Words commencing with "Mc" or "Mac" are indexed after the other words commencing with "M." Also, "St." is indexed after "S."

4. The following subjects are indexed under General Headings:—BILLS; COMMITTEES; DIVISIONS; HOUSE OF COMMONS; INDIANS; MESSAGES FROM HIS EXCELLENCY; ORDER, PRIVILEGE AND PROCEDURE; RAILWAYS. Subjects relating to any Province, as a whole, are indexed under the name of that Province.

5. Abbreviations:—1°, 2°, 3°, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three months' hoist, Six months' hoist, Six weeks' hoist; \*, without remark or debate; Ad., Address; Adj., Adjourned, Adjournment; amd., Amended; Amt., Amendment; Ans., Answer; B, Bill; B. C., British Columbia; Can., Canada or Canadian; C. P. R., Canadian Pacific Railway; Co., Company; Com., Committee; Com. of Wh., Committee of the Whole House; Cor., Correspondence; Ct., Court; Deb., Debate; Dom., Dominion; Govt., Government; H. E., His Excellency the Governor-General; H. of Com., House of Commons; I. C. R., Intercolonial Railway; Incorp., Incorporation; Lt.-Gov., Lieutenant-Governor; M, Motion; m., moved; Man., Manitoba; Mar., Maritime; Mess., Message; N. B., New Brunswick; N. S., Nova Scotia; N. W. T., North-West Territories; O. C., Order in Council; Ont., Ontario; Parly., Parliamentary; P. E. I., Prince Edward Island; Pet., Petition; P. O., Post Office; prop., proposed; Prov., Province or Provincial; Que., Quebec; Ques., Question; Rep., Report; rep., reported; Res., Resolution; Ret., Return; Riv., River; Ry., Railway; Sen., Senate; wdn., withdrawn; Y., N., Yeas, Nays,

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Bill (No. 1) *Respecting the Administration of Oaths of Office.*—(*Sir John A. Macdonald.*)  
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Bill (No. 2) *To repeal the Acts respecting Insolvency now in force in Canada.*—(*Mr. Colby.*)

1°, 44; 2°, 102; in Com., 195, 218; rep., 227, 284; in Com., 286; rep., 286; Amt. m. (*Mr. Blake*) 286; Amt. wdn., 288; M. to concur in Amts., 351; Amt. m. (*Mr. Blake*) 351; Amt. wdn., 352; in Com., 352; rep., 352; 3°, 417.

Bill (No. 3) *To repeal the Acts respecting Insolvency now in force in the Dominion.*—(*Mr. Béchard.*)

1°, 44.

Bill (No. 4) *To amend the Law regulating the inspection of Petroleum and the products thereof.*—(*Mr. Colby.*)

1°, 44; 2° prop. 1645.

Bill (No. 5) *To legalise the marriage with the sister of a deceased wife.*—(*Mr. Girouard Jacques Cartier.*)

1°, 44; B. wdn., 196.

Bill (No. 6) *To amend the Act respecting the election of Members of the House of Commons.*—(*Mr. Bolduc.*)

1°, 56; 2° prop., 227; negatived, 232.

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Bill (No. 7) *To consolidate and amend the Acts respecting the Inland Revenue.*—(*Mr. Baby.*)

1°, 56; 2°, 989; in Com., 1002; 3°, 1665.

Bill (No. 8) *To amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams.*—(*Mr. White, North Renfrew.*)

1°, 59; B. wdn., 196.

Bill (No. 9) *Respecting the Boundary between the Province of Ontario and the Territories of Canada.*—(*Mr. Mills.*)

1°, 59.

Bill (No. 10) *To regulate the employment of children, young persons, and women in the workshops and factories of the Dominion of Canada.*—(*Mr. Bergin.*)

1°, 79.

Bill (No. 11) *To regulate the encumbering of real estate by loans of money or otherwise.*—(*Mr. Orton.*)

1°, 79; 2° prop., 953; 2°, 977; in Com., 1642; Amts. m., 1643; 3°, 1644.

Bill (No. 12) *To encourage the sale of farm produce.*—(*Mr. Vallée.*)

1°, 79.

Bill (No. 13) *To repeal the Supreme and Exchequer Courts Act and the Acts amending the same.*—(*Mr. Keeler.*)

1°, 79; 2° prop., 234; Amt. 6 m. h. (*Mr. Blake*) 256; Amt. carried (Y. 148, N. 29) 267.

Bill (No. 14) *To amend the Law with reference to procedure in Criminal Cases, and the duties of Justices of the Peace out of Sessions in relation to persons charged with indictable offences.*—(*Mr. Robertson, Hamilton.*)

1°, 113; 2° prop., 355; Amt. 6 m. h. (*Mr. Mousseau*) 364; Deb. adj., 365.

Bill (No. 15) *To fix the rate of interest and to prohibit usury in the Province of Quebec.*—(*Mr. Méthot.*)

1°, 114.

Bill (No. 16) *To authorise and provide for the winding-up of the Stadacona Bank.*—(*Mr. Vallée.*)

1°, 151; 2°, 218; in Com., 1380; 3°, 1380.

Bill (No. 17) *To incorporate the Bell Telephone Company of Canada.*—(*Mr. Kilvert.*)

1°, 151; 2°, 218; in Com., 624; 3°, 761.

Bill (No. 18) *To make provision for the winding-up of insolvent incorporated Fire or Marine Insurance Companies.*—(*Mr. Ives.*)

1°, 151; 2°, 890.

Bill (No. 19) *For the more effectual prevention of crime.*—(*Mr. Blake.*)

1°, 151; 2° prop., 417; Amt. 6 m. h. (*Mr. Baker*) 419; Amt. carried, 434.

Bill (No. 20) *For instituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879.*—(*Mr. McCarthy.*)

1°, 153.



BILLS.—*Con.*

- Bill (No. 21) *To empower the Stadacona Fire and Life Insurance Company to relinquish their charter, and to provide for the winding-up of their affairs.*—(Mr. Casgrain.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 1039; 3<sup>o</sup>\*, 1039.
- Bill (No. 22) *Further to amend the Act therein cited, incorporating the Canada Guarantee Company.*—(Mr. Girouard, Jacques Cartier.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 584; 3<sup>o</sup>\*, 584.
- Bill (No. 23) *To incorporate the French Atlantic Cable Company.*—(Mr. Cameron, North Victoria.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 584; 3<sup>o</sup>\*, 584.
- Bill (No. 24) *To incorporate the Dominion Commercial Travellers' Association.*—(Mr. Gault.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 483; 3<sup>o</sup>\*, 483.
- Bill (No. 25) *To authorise the establishment of Superannuation, Provident, and Insurance Funds by the Great Western Railway Company.*—(Mr. Robertson, Hamilton.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 625; 3<sup>o</sup>\*, 760.
- Bill (No. 26) *To incorporate the Emerson and Turtle Mountain Railway Company.*—(Mr. Royal.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; B. wdn., 1227.
- Bill (No. 27) *To incorporate the Baptist Union of Canada.*—(Mr. Mackenzie.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 218; in Com., 484; 3<sup>o</sup>\*, 484.
- Bill (No. 28) *Further to amend an Act respecting the security to be given by officers of Canada.*—(Sir Samuel L. Tilley.)  
1<sup>o</sup>\*, 180; 2<sup>o</sup>\*, 281; in Com., 352; 3<sup>o</sup>\*, 352.
- Bill (No. 29) *To amend the Act intitled an Act to incorporate the Anchor Marine Insurance Company.*—(Mr. Cameron, South Huron.)  
1<sup>o</sup>\*, 196; 2<sup>o</sup>\*, 286; in Com., 761; 3<sup>o</sup>\*, 761.
- Bill (No. 30) *To legalise marriage with the sister of a deceased wife.*—(Mr. Girouard, Jacques Cartier.)  
1<sup>o</sup>\*, 196; 2<sup>o</sup>\*, prop., 291; Amt. 6 w. h. (Mr. Thompson, Haldimand) 296; Adj. Deb., 434; Amt. negatived (Y. 19, N. 140) 451; 2<sup>o</sup>\*, 451; in Com., 590; Amt. (Mr. Mills) 590; Amt. to Amt. (Mr. Williams) 593; Amt. to Amt. negatived, 594; Amt. carried, 594; rep., 594; Amt. (Mr. Houde) carried, 952; in Com., 953; rep., 953; concurrence prop., 1381; Amt. 6 m. h. (Mr. Jones) 1393; Amt. to Amt. (Mr. Houde) 1395; Amt. to Amt. negatived (Y. 10, N. 130) 1396; Amt. negatived (Y. 34, N. 108) 1396; B. concurred in, 1397; on M. for 3<sup>o</sup>\*, Amt. (Mr. Charlton) negatived (Y. 40, N. 102) 1397; 3<sup>o</sup>\*, 1397.
- Bill (No. 31) *To incorporate the St. Clair and Lake Erie Navigation Company.*—(Mr. Stephenson.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286; in Com., 785; 3<sup>o</sup>\*, 785.
- Bill (No. 32) *Respecting the Montreal Assurance Company.*—(Mr. Girouard, Jacques Cartier.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286; in Com., 1893; 3<sup>o</sup>\*, 1893.
- Bill (No. 33) *To amend and consolidate the Act incorporating the Dominion Grange of the Patrons of Husbandry of Canada.*—(Mr. McCallum.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286; in Com., 761; 3<sup>o</sup>\*, 761.

BILLS.—*Con.*

- Bill (No. 34) *To incorporate the Farmers and Real Property Bank of Canada.*—(Mr. Cameron, North Victoria.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286.
- Bill (No. 35) *Respecting the Niagara Grand Island Bridge Company.*—(Mr. McCarthy.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286; in Com., 625; 3<sup>o</sup>\*, 761.
- Bill (No. 36) *To authorise the Corporation of Emerson, in the Province of Manitoba, to construct a free traffic bridge across the river at Emerson.*—(Mr. Royal.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 286; in Com., 1641; 3<sup>o</sup>\*, 1641.
- Bill (No. 37) *Further to amend the Supreme and Exchequer Court Act.*—(Mr. McCarthy.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 479; in Com., 889; 3<sup>o</sup>\*, 1398.
- Bill (No. 38) *To amend the Act respecting procedure in Criminal Cases, and other matters relating to Criminal Law.*—(Mr. McCarthy.)  
1<sup>o</sup>\*, 233; 2<sup>o</sup>\*, 479; in Com., 596.
- Bill (No. 39) *To incorporate the Montreal and Province Line Railway Company.*—(Mr. Scriver.)  
1<sup>o</sup>\*, 268; 2<sup>o</sup>\*, 305; B. wdn., 745.
- Bill (No. 40) *To incorporate the Mail Printing Company.*—(Mr. McCarthy.)  
1<sup>o</sup>\*, 268; 2<sup>o</sup>\*, 306; in Com., 761; 3<sup>o</sup>\*, 761.
- Bill (No. 41) *To amend an Act to provide that persons charged with common assault shall be competent as witnesses.*—(Mr. McCarthy.)  
1<sup>o</sup>\*, 268; 2<sup>o</sup>\*, 483; in Com., 600; 3<sup>o</sup>\*, 889.
- Bill (No. 42) *To regulate stockbrokers and suppress gambling in stocks.*—(Mr. Girouard, Jacques Cartier.)  
1<sup>o</sup>\*, 269; 2<sup>o</sup>\*, 602.
- Bill (No. 43) *To ensure the better qualification of public servants and the greater efficiency and economy of the Public Service.*—(Mr. Casey.)  
1<sup>o</sup>\*, 269.
- Bill (No. 44) *To provide for the salaries of two additional Judges of the Supreme Court of British Columbia.*—(Mr. McDonald, Pictou.)  
Rea. in Com., 114; 1<sup>o</sup>\*, 270; 2<sup>o</sup>\*, 454; in Com., 455; 3<sup>o</sup>\*, prop., 933; Amt. (Mr. Blake) negatived (Y. 43, N. 98) 933; 3<sup>o</sup>\*, 934.
- Bill (No. 45) *To incorporate the Great Western Telegraph Company of Canada.*—(Mr. Ryan, Marquette.)  
1<sup>o</sup>\*, 305; 2<sup>o</sup>\*, 395; in Com., 1470; 3<sup>o</sup>\*, 1470.
- Bill (No. 46) *To incorporate the Winnipeg and Hudson's Bay Railroad and Steamship Company.*—(Mr. Bannerman.)  
1<sup>o</sup>\*, 305; 2<sup>o</sup>\*, 395; in Com., 1470; 3<sup>o</sup>\*, 1470.
- Bill (No. 47) *Respecting the Great Western and Lake Ontario Shore Junction Railway Company.*—(Mr. Carling.)  
1<sup>o</sup>\*, 305; 2<sup>o</sup>\*, 395; in Com., 785; 3<sup>o</sup>\*, 785.
- Bill (No. 48) *To amend the Act respecting Joint Stock Companies to construct works to facilitate the transmission of timber down rivers and streams.*—(Mr. White, North Renfrew.)  
1<sup>o</sup>\*, 365; 2<sup>o</sup>\*, 607; in Com., 607; 3<sup>o</sup>\*, 607.

BILLS.—*Con.*

Bill (No. 49) *To incorporate the Red River and Assiniboine Bridge Company.*—(Mr. White, Cardwell.)

1<sup>o</sup>\*, 379; 2<sup>o</sup>\*, 472; in Com., 1641; 3<sup>o</sup>\*, 1641.

Bill (No. 50) *To amend the Act to incorporate the Ontario and Pacific Junction Railway Company.*—(Mr. Williams.)

1<sup>o</sup>\*, 379; 2<sup>o</sup>\*, 472; in Com., 1350; 3<sup>o</sup>\*, 1380.

Bill (No. 51) *To amend the Act 36 Victoria, chapter 108, intitled an Act to grant additional powers to the Quebec and Gulf Ports Steamship Company.*—(Mr. McGreevy.)

1<sup>o</sup>\*, 379; 2<sup>o</sup>\*, 472; in Com. 761; 3<sup>o</sup>\*, 761.

Bill (No. 52) *To repeal Section 2 of a certain Act intitled an Act to amend the Maritime Jurisdiction Act, 1877.*—(Mr. Shaw.)

1<sup>o</sup>, 379; 2<sup>o</sup> prop., 607; Deb. adj., 608.

Bill (No. 53) *Respecting the Credit Valley Railway Company.*—(Mr. Haggart.)

1<sup>o</sup>\*, 416; 2<sup>o</sup>, 584; referred back to Standing Com., 1279; in Com., 1470; 3<sup>o</sup>\*, 1470.

Bill (No. 54) *To incorporate the Canadian Telegraph Company.*—(Mr. McCarthy.)

1<sup>o</sup>\*, 416; 2<sup>o</sup>\*, 472; referred back to Standing Com., 1683; B. wdn., 1852.

Bill (No. 55) *To amend the Act 40 Victoria, chapter 72, intitled an Act respecting the Beaver and Toronto Mutual Fire Insurance Company.*—(Mr. McCarthy.)

1<sup>o</sup>\*, 416; 2<sup>o</sup>\*, 472; B. wdn., 1886.

Bill (No. 56) *To reduce the salaries and allowances of certain public functionaries and officers, and the indemnity to members of the Senate and House of Commons.*—(Mr. Béchard.)

1<sup>o</sup>, 416; 2<sup>o</sup> prop., 893; Deb. adj., 904.

Bill (No. 57) *To consolidate and amend the Acts relating to the North-West Territories*—(Sir John A. Macdonald.)

1<sup>o</sup>\*, 453; 2<sup>o</sup>\*, 1857; in Com., 1915; 3<sup>o</sup>\*, 1915.

Bill (No. 58) *Further to amend the Immigration Act of 1869.*—(Mr. Fleming.)

1<sup>o</sup>, 453.

Bill (No. 59) *To repeal the 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.)

1<sup>o</sup>\*, 453.

Bill (No. 60) *To incorporate the South Saskatchewan Valley Railway Company.*—(Mr. Robertson, Hamilton.)

1<sup>o</sup>\*, 483; 2<sup>o</sup>\*, 590; in Com., 1641; 3<sup>o</sup>\*, 1641.

Bill (No. 61) *To make provision for the winding-up of insolvent incorporated Banks and other Companies.*—(Mr. Ives.)

1<sup>o</sup>\*, 483; 2<sup>o</sup>\*, 1230.

Bill (No. 62) *To amend Chapter 13 of the Statutes of Canada, passed in the 41st year of the Reign of Her Majesty, intitled an Act to provide that persons charged with common assault shall be competent as witnesses.*—(Mr. Ives.)

1<sup>o</sup>\*, 483.

BILLS.—*Con.*

Bill (No. 63) *To extend the powers of the Manitoba South-Western Colonisation Railway Company, and to further amend the Act incorporating the said Company.*—(Mr. Schultz.)

1<sup>o</sup>\*, 509; 2<sup>o</sup>\*, 590; in Com., 1699; 3<sup>o</sup>\*, 1699.

Bill (No. 64) *To authorise and provide for the winding-up of the Consolidated Bank of Canada.*—(Mr. Gault.)

1<sup>o</sup>\*, 509; 2<sup>o</sup>\*, 625; in Com., 1699; 3<sup>o</sup>\*, 1699.

Bill (No. 65) *To amend the Acts respecting the Montreal Telegraph Company.*—(Mr. Gault.)

1<sup>o</sup>\*, 509; 2<sup>o</sup>\*, 626; in Com., 1470; 3<sup>o</sup>\*, 1470; Sen. Amt. disagreed to, 1893.

Bill (No. 66) *To incorporate the Quebec and Ontario Railway Company.*—(Mr. Cameron, North Victoria.)

1<sup>o</sup>\*, 509; 2<sup>o</sup>\*, 626; B. wdn., 1819.

Bill (No. 67) *To amend the Acts respecting the Canada Central Railway Company.*—(Mr. Fitzsimmons.)

1<sup>o</sup>\*, 568; 2<sup>o</sup>\*, 626; in Com., 1641; Amts. m., 1641; 3<sup>o</sup>, 1642.

Bill (No. 68) *To incorporate the Nelson Valley Railway and Transportation Company.*—(Mr. Macdougall.)

1<sup>o</sup>\*, 568; 2<sup>o</sup>\*, 626; in Com., 1470; 3<sup>o</sup>\*, 1470.

Bill (No. 69) *To incorporate the Rapid City and Souris River Colonisation Railway Company.*—(Mr. Bannerman.)

1<sup>o</sup>\*, 568; 2<sup>o</sup>\*, 626.

Bill (No. 70) *Further to amend the Acts therein mentioned respecting the Militia and Defence of the Dominion of Canada.*—(Mr. Masson.)

1<sup>o</sup>\*, 583; 2<sup>o</sup>, 978; in Com., 982; 3<sup>o</sup>, 1661.

Bill (No. 71) *To incorporate the Pontiac Pacific Junction Railway.*—(Mr. White, North Renfrew.)

1<sup>o</sup>\*, 594; 2<sup>o</sup>\*, 626; in Com., 1699; 3<sup>o</sup>\*, 1893.

Bill (No. 72) *To extend the corporate character and powers of the Direct United States Cable Company to the Dominion of Canada.*—(Mr. McCarthy.)

1<sup>o</sup>\*, 594; 2<sup>o</sup>\*, 626; B. wdn., 1852.

Bill (No. 73) *To amend an Act respecting the Port Whitty Harbour Company.*—(Mr. Kirkpatrick.)

1<sup>o</sup>\*, 608; 2<sup>o</sup>\*, 761; in Com., 1380; 3<sup>o</sup>\*, 1380.

Bill (No. 74) *To incorporate the North-West Colonisation Land Company.*—(Mr. Schultz.)

1<sup>o</sup>\*, 608; 2<sup>o</sup>\*, 952; M. for Com., 1641; Amt. 6 m. h. (Mr. Charlton) 1641, Deb. adj., 1641; B. wdn., 1699.

Bill (No. 75) *To regulate the floating of cordwood upon the River St. François du Lac.*—(Mr. Vanasse.)

1<sup>o</sup>\*, 608.

Bill (No. 76) *To remove doubts as to the true construction of Section 12 of the Northern Railway Company Act, 1877.*—(Mr. McCarthy.)

1<sup>o</sup>\*, 626; 2<sup>o</sup>, 761; B. wdn., 1852.

Bill (No. 77) *To facilitate the detention and safe-keeping in certain cases of persons convicted in the North-West Territories or*

BILLS.—*Con.*

*District of Keewatin, and sentenced to imprisonment.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>, 657; B. wdn., 1935.

Bill (No. 78) *Respecting the President, Directors and Company of the Bank of New Brunswick.*—(Mr. Burpee, St. John.)

1<sup>o</sup>\*, 661; 2<sup>o</sup>\*, 761; in Com., 1381; 3<sup>o</sup>\*, 1381.

Bill (No. 79) *To incorporate the Souris and Rocky Mountains Railway Company.*—(Mr. Boulbee.)

1<sup>o</sup>, 691; 2<sup>o</sup>\*, 761; in Com., 1699; 3<sup>o</sup>\*, 1699.

Bill (No. 80) *To simplify Criminal Procedure in the Province of Quebec, and to dispense with Grand Juries in certain cases.*—(Mr. Coursol.)

1<sup>o</sup>\*, 692.

Bill (No. 81) *To confirm the purchase by the Dominion of a portion of the Grand Trunk Railway and the agreement made with the Grand Trunk Railway Company of Canada with respect thereto.*—(Sir Charles Tupper.)

1<sup>o</sup>, 782; 2<sup>o</sup>\*, 1359; in Com., 1359; 3<sup>o</sup>\*, 1359.

Bill (No. 82) *To prevent fraud in the manufacture and sale of agricultural fertilizers.*—(Mr. Landry.)

1<sup>o</sup>\*, 802.

Bill (No. 83) *Further to amend the Act respecting Cruelty to Animals.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 873; 2<sup>o</sup>, 1665; in Com., 1935; 3<sup>o</sup>\*, 1935.

Bill (No. 84) *To amend the General Inspection Act, 1874, and the Act amending it.*—(Mr. Baby.)

Res. in Com., 934; 1<sup>o</sup>\*, 935; 2<sup>o</sup>\*, 1857; in Com., 1857; 3<sup>o</sup>\*, 1857.

Bill (No. 85) *For the amendment of the Law of evidence in certain cases of misdemeanour.*—(Mr. Kirkpatrick.)

1<sup>o</sup>\*, 935.

Bill (No. 86) *To repeal Chapter 40 of 42 Victoria, intituled an Act to amend the Maritime Jurisdiction Act, 1877.*—(Mr. Patterson, Essex.)

1<sup>o</sup>\*, 977.

Bill (No. 87) *To amend Chapter 32 of the Act of 33 Victoria (1870), intituled an Act to empower the Police Court in the City of Halifax to sentence juvenile offenders to be detained in the Halifax Industrial School.*—(Mr. Richey.)

1<sup>o</sup>\*, 977.

Bill (No. 88) *For the appointment of a Resident Representative Agent for Canada in the United Kingdom.*—(Sir John A. Macdonald.)

1<sup>o</sup>\*, 977; 2<sup>o</sup>, 1857, (Y. 120, N. 48) 1877; Res. in Com., 1878; B. in Com., 1878; 3<sup>o</sup>\*, 1878.

Bill (No. 89) *To provide for the equitable distribution of the estates of defaulting debtors.*—(Mr. Wallace, South Norfolk.)

1<sup>o</sup>\*, 1002.

Bill (No. 90) *To amend and consolidate the laws respecting Indians.*—(Sir John A. Macdonald.)

1<sup>o</sup>\*, 1016; 2<sup>o</sup>, 1989; in Com., 1996; 3<sup>o</sup> prop., 1997; Amt. (Mr. Casey) 1997; 3<sup>o</sup>, 1997.

Bill (No. 91) *Respecting Dorchester Penitentiary.*—(Mr. McDonald, Pictou.)

BILLS.—*Con.*

1<sup>o</sup>\*, 1016; 2<sup>o</sup>\*, 1669; in Com., 1669; 3<sup>o</sup>\*, 1669.

Bill (No. 92) *Further to continue in force, for a limited time, the Better Prevention of Crime Act, 1878.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 1016; 2<sup>o</sup>\*, 1669; in Com., 1669; 3<sup>o</sup>\*, 1669.

Bill (No. 93) *To prevent and punish wrongs to children.*—(Mr. Richey.)

1<sup>o</sup>\*, 1038.

Bill (No. 94) *For the final settlement of claims to lands in Manitoba by occupancy, under the Act 33 Victoria, chapter 3.*—(Sir John A. Macdonald.)

1<sup>o</sup>, 1099; 2<sup>o</sup>\*, 1359; in Com., 1359; 3<sup>o</sup>\*, 1359.

Bill (No. 95) *To amend the Dominion Lands Act, 1879.*—(Sir John A. Macdonald.)

1<sup>o</sup>, 1151; 2<sup>o</sup>\*, 1915; in Com., 1982; 3<sup>o</sup>\*, 1984.

Bill (No. 96) *To repeal the Act extending the Dominion Lands Act to British Columbia, and to make other provision with respect to certain public lands in that Province.*—(Sir John A. Macdonald.)

1<sup>o</sup>\*, 1151; 2<sup>o</sup>\*, 1857; in Com., 1915; 3<sup>o</sup>\*, 1915.

Bill (No. 97) *To provide for the winding-up of Insolvent Banks and Insurance Companies.*—(Mr. Abbott.)

1<sup>o</sup>, 1228; 2<sup>o</sup>\*, 1230.

Bill (No. 98) *Respecting the Ontario Reformatory for Boys.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 1230; 2<sup>o</sup>, 1666; in Com., 1666; 3<sup>o</sup>\*, 1669.

Bill (No. 99) *Respecting the Reformatory for Juvenile Offenders in Prince Edward Island.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 1230; 2<sup>o</sup>\*, 1669; in Com., 1669; 3<sup>o</sup>\*, 1669.

Bill (No. 100) *Respecting the Industrial Refuge for Girls of Ontario.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 1230; 2<sup>o</sup>\*, 1669; in Com., 1669; 3<sup>o</sup>\*, 1669.

Bill (No. 101) *To provide for the distribution of the Assets of Insolvent Traders.*—(Mr. Abbott.)

1<sup>o</sup>\*, 1326.

Bill (No. 102) *To amend the Act 42 Victoria, chapter 15, intituled an Act to alter the duties of Customs and Excise.*—(Sir Samuel L. Tilley.)

1<sup>o</sup>\*, 1330; 2<sup>o</sup>\*, 1852; in Com., 1852; 3<sup>o</sup>, 1853.

Bill (No. 103) *To amend the Act intituled an Act respecting offences against the person, and to repeal the Act intituled an Act to provide that persons charged with common assault shall be competent as witnesses.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>\*, 1470; 2<sup>o</sup>\*, 1669; in Com., 1669; 3<sup>o</sup>\*, 1669.

Bill (No. 104) *To amend the Statute of 41 Victoria, chapter 17, relating to stamps on notes and bills.*—(Mr. Cockburn, West Northumberland.)

1<sup>o</sup>, 1511.

BILLS.—*Con.*

Bill (No. 105) *For the relief of Permanent Building Societies and Loan Companies, and to restrict their modes of lending.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>, 1626; 2<sup>o</sup>, 1857; in Com., 1857; 3<sup>o</sup>, 1857.

Bill (No. 106) *To amend an Act respecting the Harbour of Pictou, in Nova Scotia.*—(Mr. Pope, Queen's, P. E. I.)

1<sup>o</sup>, 1627; 2<sup>o</sup>, 1854; in Com., 1854; 3<sup>o</sup>, 1854.

Bill (No. 107) *To amend the law respecting the removal of obstructions in navigable waters by wrecks.*—(Mr. Pope, Queen's, P. E. I.)

1<sup>o</sup>, 1627; 2<sup>o</sup>, 1855; in Com., 1913; 3<sup>o</sup>, 1915; Sen. Amts. concurred in, 1984.

Bill (No. 108) *For extending the consolidated Act of 1879, respecting duties imposed on promissory notes and bills of exchange, to the whole Dominion.*—(Mr. Baby.)

Res. in Com., 1659; 1<sup>o</sup>, 1659; 2<sup>o</sup>, 1856; in Com., 1857; 3<sup>o</sup>, 1857.

Bill (No. 109) *To authorise the raising of a further sum to enable the Quebec Harbour Commissioners to complete their tidal dock.*—(Sir Samuel L. Tilley.)

Res. in Com., 1659; 1<sup>o</sup>, 1660; 2<sup>o</sup>, 1857; in Com., 1857; 3<sup>o</sup>, 1857.

Bill (No. 110) *To enable the Harbour Commissioners of Montreal to pay a life annuity to the widow of the late Hon. John Young.*—(Sir John A. Macdonald.)

Res. in Com., 1660; 1<sup>o</sup>, 1661; 2<sup>o</sup>, 1857; in Com., 1857; 3<sup>o</sup>, 1857.

Bill (No. 111) *To provide for the winding-up of La Banque Ville Marie.*—(Mr. Desjardins.)

1<sup>o</sup>, 1665; 2<sup>o</sup>, 1699; in Com., 1893; 3<sup>o</sup>, 1893.

Bill (No. 112) *To explain and further to amend the Canada Temperance Act, 1878.*—(Mr. Bowtell.)

1<sup>o</sup>, 1688; 2<sup>o</sup>, 1956; in Com., 1956; 3<sup>o</sup> prop., 1956; Amt. (Mr. Boulbee) 1956; Deb. adj., 1956; Adj. Deb., 1957; Amt. (Mr. Boulbee) carried (Y. 96, N. 73) 1971; Amt. 3 m. h. (Mr. Ross, W. Middlesex) negatived (Y. 54, N. 85) 1972; 3<sup>o</sup>, 1973.

Bill (No. 113) *To authorise making certain investigations under oath.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>, 1723; 2<sup>o</sup>, 1935; in Com., 1937; 3<sup>o</sup> prop., 1957; Amt. (Mr. Blake) 1957; 3<sup>o</sup>, 1957.

Bill (No. 114) *Further to amend the Acts respecting Dominion Notes.*—(Sir Samuel L. Tilley.)

Res. in Com., 1723; 1<sup>o</sup>, 1752; 2<sup>o</sup>, 1946; in Com., 1946; 3<sup>o</sup>, 1946.

Bill (No. 115) *To amend an Act relating to Banks and Banking, and to continue for a limited time the charters of certain Banks to which the said Act applies.*—(Sir Samuel L. Tilley.)

Res. in Com., 1752; 1<sup>o</sup>, 1772; 2<sup>o</sup>, 1979; in Com., 1981, 1985; 3<sup>o</sup>, 1987.

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Bill (No. 116) *To amend the Pilotage Act, 1873.*—(Mr. Pope, Queen's, P. E. I.)

1<sup>o</sup>, 1772; 2<sup>o</sup>, 1878; in Com., 1878; B. wdn., 2015.

Bill (No. 117) *To repeal the Act 42 Victoria, chapter 5, for granting an annual subsidy towards certain telegraphic communication.*—(Mr. Langevin.)

1<sup>o</sup>, 1820; 2<sup>o</sup>, 1857; in Com., 1857; 3<sup>o</sup>, 1857.

Bill (No. 118) *Respecting the Quebec, Montreal, Ottawa, and Occidental Railway.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>, 1852; B. wdn., 1998.

Bill (No. 119) *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.)

1<sup>o</sup>, 1852; 2<sup>o</sup>, 1939; in Com., 1940; 3<sup>o</sup>, 1940.

Bill (No. 120) *To amend the Law of Evidence in Criminal Cases, and to authorise the taking of depositions, and to make same evidence in certain cases.*—(Mr. McDonald, Pictou.)

1<sup>o</sup>, 1852; 2<sup>o</sup>, 1940; in Com., 1940; 3<sup>o</sup>, 1940.

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Res. in Com., 1886; 1<sup>o</sup>, 1886; 2<sup>o</sup>, 1998; in Com., 1999; 3<sup>o</sup>, 1999.

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Res. in Com., 1887; 1<sup>o</sup>, 1888; 2<sup>o</sup>, 1999; in Com., 1999; 3<sup>o</sup>, 1999.

Bill (No. 123) *To amend the Act respecting the inspection of Petroleum.*—(Mr. Baby.)

Res. in Com., 1917; 1<sup>o</sup>, 1921; 2<sup>o</sup>, 1973; in Com., 1975; 3<sup>o</sup>, 1975.

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1<sup>o</sup>, 1917; 2<sup>o</sup>, 1999; in Com., 1999; 3<sup>o</sup>, 1999.

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Res. in Com., 1921; rep., 1927; Amt. (Mr. Blake) negatived (Y. 42, N. 109) 1933; 1<sup>o</sup>, 1934; 2<sup>o</sup>, 1999; in Com., 1999, 3<sup>o</sup>, 1999.

Bill (No. 126) *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, 1880, and the 30th June, 1881, and for other purposes relating to the Public Service.*—(Sir Samuel L. Tilley.)

Res. in Com., 1977; 1<sup>o</sup>, 1979; 2<sup>o</sup>, 2002; 3<sup>o</sup>, 2015.

Bill (No. 127) *Respecting certain Savings Banks in the Provinces of Ontario and Quebec.*—(Sir Samuel L. Tilley.)

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